

Communication from Public

Name: Adam Gill

Date Submitted: 04/21/2020 01:55 PM

Council File No: 20-0404

Comments for Public Posting: I am a Los Angeles tenant and I fully support an emergency ordinance prohibiting evictions during the current state of emergency. This is an exceptional crisis and it is the city's duty to extend relief all its inhabitants, not just property owners. Leaving open the possibility of eviction at a later date puts unfair weight on tenants, many of whom will be facing conditions of unprecedented precarity. No one should feel threatened with the possibility of losing shelter at this time.

Communication from Public

Name: Erich Bollmann

Date Submitted: 04/21/2020 01:43 PM

Council File No: 20-0404

Comments for Public Posting: As a renter in Los Angeles, I strongly urge the council to pass this measure, ensuring an actual moratorium on evictions. It's become clear in the last few weeks that the initial measure passed by council to protect renters unfortunately was not strong enough, and I have heard of landlords and property management companies taking advantage of the initial moratorium guidelines to make impossible demands and requirements of tenants. Please pass this measure to ensure those with homes can stay in them, and to help keep our city's homelessness crisis from becoming even more dire.

Communication from Public

Name: Brandon H

Date Submitted: 04/21/2020 01:56 PM

Council File No: 20-0404

Comments for Public Posting: We need all city council members to vote for the full eviction moratorium and rent freeze. Only 45% of people living in LA County are still employed due to this global pandemic. In addition to these bare minimum proposals we need complete rent forgiveness for all and to bring our unhoused neighbors into the multitude of empty hotels and luxury condos throughout this city. The federal government is clearly only worried about business owners. We need our local elected officials to step up and take bold action that we need and deserve.

Communication from Public

Name:

Date Submitted: 04/21/2020 01:56 PM

Council File No: 20-0404

Comments for Public Posting: In reading the Instagram post stating that so far the council file has mostly has comments from landlords in opposition is obviously going to happen. KTown is a underprivileged area. Many tenants might not have access to internet or can log onto to be able to voice their opinion while landlords would have more of opportunity to say something because they have access to a computer or smart phone. I'm for passing this motion which would instruct the City Attorney to draft an emergency ordinance prohibiting landlords from evicting tenants during the COVID-19 emergency and 30 days following the end of the emergency. That doesn't mean the landlords will not get their money but come up with a payment plan option with no interest. Lots of tenants in Ktown work in the Resturant Industry and seeing as they have been closed for the most part minus take out most resturant workers are furloughed right now. There needs to be protection in place to protect the tenants of Ktown. The ordinance would prohibit landlords from serving an eviction notice in a very hard time for these families. Attempting to evict tenants through lockouts, or utility shutoffs. Also it poses a greater threat to evict vulnerable people in a Global Pandemic. When numbers are still increasing and you want to throw people out on the street that makes no sense. With the City Attorney drafting an emergency ordinance Landlords are still receiving their money at a later date and your keeping vulnerable people off the street. While the city is still trying to house the thousands of homeless people who are already on the streets during this pandemic who don't have access to healthcare. By not protecting the tenants of Ktwon you are creating a bigger problem for the pandemic by increasing people on the streets. Which is irresponsible and heartless.

Communication from Public

Name: Nick Kallinikos

Date Submitted: 04/21/2020 01:56 PM

Council File No: 20-0404

Comments for Public Posting: An eviction moratorium is the humane and just thing to enact given the unprecedented circumstances that have left millions vulnerable. You must help those who have elected you to office in their time of need.

Communication from Public

Name: Scott B

Date Submitted: 04/21/2020 01:58 PM

Council File No: 20-0404

Comments for Public Posting: I urge the council to vote in favor of enacting a strong moratorium on rent evictions throughout this pandemic and in the subsequent months, for both those affected by COVID and those who aren't, and are struggling financially to make rent. Putting people out on the street is dangerous not only to vulnerable populations, but will create economic toil for communities Struggling in the aftermath of the this pandemic.

Communication from Public

Name: Richard Gerald

Date Submitted: 04/21/2020 02:09 PM

Council File No: 20-0404

Comments for Public Posting: Dear City Clerk Wolcott, As a housing provider in L.A., I am strongly opposed to items 37, 38 & 39 on the upcoming council agenda. Aspects of these proposals are likely unlawful as they are governed by state and federal law, have had no discussion and are redundant of actions already taken. These proposals do not aim to alleviate issues related to COVID-19 but further amplify the economic damage and confusion unfolding. I urge you to focus on solutions such as supporting and expanding item 66 which aims to help struggling renters. I understand that the COVID-19 pandemic has created a great deal of uncertainty for Angelenos. That is why I support item 66, a renter's relief program. I have been working with my residents that are struggling. I have instituted payment plans, deferred rent, highlighted resources and halted rent increases. I am doing everything I can to be part of the solution to this unprecedented crisis. Many housing providers are not eligible for mortgage relief and are facing tenuous financial circumstances that will affect all contractors, suppliers and employees of these communities. Items 37, 38 and 39 before you are an overreach; not a solution to this economic and health emergency. Like the 12 month deferral period, this will create a great deal of financial uncertainty and distress for the entire rental housing industry and those whose jobs depend on it. These policies will make the problem worse. I recognize everyone is struggling but this goes too far. I respectfully ask the council to focus on solutions such as item 66 and reject 37, 38 & 39.
Respectfully, Richard Gerald

Communication from Public

Name: C. Little

Date Submitted: 04/21/2020 02:10 PM

Council File No: 20-0404

Comments for Public Posting: As a Los Angeles resident struggling to pay rent after losing my job due to Covid-19 closures, I ask the council to place a full moratorium on residential rent collection until after our city is running properly again. Our homeless problem is bad enough in this city and we should aim to heal that (support public rehabilitation services) while not adding to the vast numbers of homeless angelenos.

Communication from Public

Name: Peter Horton

Date Submitted: 04/21/2020 02:19 PM

Council File No: 20-0404

Comments for Public Posting: I'm a renter in west LA, and I believe this is an important step that the city council should take as soon as possible. Even with the recent decision of the CA judicial council to stop court enforcement of eviction proceedings, landlords are able to initiate evictions, and tenants are receiving intimidating notices of eviction. There is no public benefit that I can see from allowing landlords to take this step. It can serve only to heighten their tenants' difficulties during this already stressful time, and tenants who aren't aware that the eviction won't be carried out may be bullied into packing up and moving, putting themselves and their families at risk of contracting the virus or losing stable housing. There is no coherent justification for opposing this motion. It is a common-sense step which will simply help Angelenos understand clearly — without misleading contradictions from their landlord — that they can not be put out of their home during this pandemic. I urge my representative (Paul Koretz) and the rest of the city council to vote in favor of this motion. I hope the council will also discuss how to enforce the prohibition. What mechanisms can be put in place to make sure landlords know and adhere to the law? What steps can the city take to make tenants whole if their landlord ignores the law and illegally harasses them with an eviction notice? Without enforcement, this motion will be a dead letter.

Communication from Public

Name: Hunter Brumley
Date Submitted: 04/21/2020 02:24 PM
Council File No: 20-0404
Comments for Public Posting: Existing protections for renters are not strong enough. Renters are still being pushed out of their homes. With the current public health crisis and the importance of people sheltering in their homes at this time, we cannot let landlords undermine this by forcing out renters and putting community members in harm's way.

Communication from Public

Name: Collin

Date Submitted: 04/21/2020 02:24 PM

Council File No: 20-0404

Comments for Public Posting: It's very discouraging to read all the comments from the property owners and business groups that are attempting to place the blame on tenants for not being able to pay rent during a pandemic that will likely last into 2021. What they miss are the nuances of each renter's situation and the incredible burdens that we all face. Federal assistance has been a slow and difficult process for many while the \$1200 stimulus check (for those that have actually received it) is a bandaid that can barely cover a single month's rent in Los Angeles, not to mention our undocumented neighbors who will never see a single cent from the Fed. Service industry workers and freelance contractors are stuck in a precarious place where they can't apply for Federal assistance, but have seen their hours or wages drastically cut, so they continue to put themselves on the line extra each day so they can recoup their lost income. This hasn't been easy on any of us, but in dire situations we need to take equally proportionate actions that are necessary to protecting Angelenos and the legislation proposed by Council Member Bonin are exactly the steps we need. I urge every Council Member to stand on the side of their many constituents, rather than the few business groups, and vote in favor of this proposal (and the rest proposed by Bonin).

Communication from Public

Name: Brendan Coates
Date Submitted: 04/21/2020 02:25 PM
Council File No: 20-0404

Comments for Public Posting: Hi there, I'd like to comment in support of the motion to draft an emergency ordinance prohibiting landlords from evicting tenants during the emergency and for 30 days afterward. LA has the least affordable rental housing market in the country, 54% of LA residents are renters and over half of renters spend over are 30% of their after-tax income on rent, a situation known as being "rent burdened." This was before the crisis hit, which has left 16 million of the nation's workers without an income. It is unconscionable to consider allowing evictions to continue in light of what we know about the virus and its spread. This is a public health crisis - we all benefit from providing people the means to self-isolate. Allowing evictions to continue will consign thousands of the city's most vulnerable residents to death - it's immoral and it's completely avoidable through exercising the power available to this city council. Thank you for your time.

Communication from Public

Name:

Date Submitted: 04/21/2020 01:35 PM

Council File No: 20-0404

Comments for Public Posting: LA tenants need Eviction Protection Expansion/Tenancy Termination Prohibition in this time of pandemic and job losses. Please vote in favor!

Communication from Public

Name: Jeff Martinez

Date Submitted: 04/21/2020 01:35 PM

Council File No: 20-0404

Comments for Public Posting: Council members, I strongly urge you to reevaluate the current order of stay of evictions and look to make them stronger and more protective for tenants. The individuals of the community are the most vulnerable during this crisis. Please do what you do best and help the people, protect us, do not allow us to be bullied or threatened by owners. Thank you.

Communication from Public

Name: Danielle Leidner-Peretz

Date Submitted: 04/21/2020 01:20 PM

Council File No: 20-0404

Comments for Public Posting: Public comment for Council File 20-0404



"Great Apartments Start Here!"

Danielle Leidner-Peretz
Director, Government Affairs &
External Relations
danielle@aagla.org
213.384.4131; Ext. 309

April 21, 2020
Via Electronic Mail

Members of the Los Angeles City Council
City Hall
200 North Spring Street
Los Angeles, California 90012

Re: Council Files 20-0407 (Agenda Item 37), 20-0409 (Agenda Item 38), and 20-0404 (Agenda Item 39)

Dear Members of the Los Angeles City Council:

On April 22, 2020, the City Council will be considering three motions related to the COVID-19 pandemic and prohibitions during the local emergency period. Throughout the pandemic, the Apartment Association of Greater Los Angeles (AAGLA) has continually urged the City Council to take a balanced approach in recognition of the detrimental impacts of COVID-19 on **both** the City's residents and rental housing providers, all of whom need support during these most difficult and uncertain times. AAGLA strongly opposes these measures and urges the City Council to focus on equitable solutions such as an emergency rental assistance program, agenda item 66, which is a direct and impactful means to assist renters and rental housing providers, and to reject measures that will cause further economic instability, the loss of already limited affordable housing and potential loan defaults and increased litigation.

- **Rent Increase Freeze - Agenda Item 37 (Council File 20-0407)**

On March 30, 2020 Mayor Garcetti issued an Executive Order instituting a rent freeze on occupied rental units subject to the City's Rent Stabilization Ordinance (RSO), which was made effective March 30th and is to continue for sixty (60) days following the conclusion of the local emergency period. The motion under consideration would expand the scope of the rent freeze retroactively to March 4th and through ninety (90) days following the end of the local emergency. Further, the motion seeks to make the rent freeze applicable to all the City's rental units, including non-RSO units.

Since April 1st, pursuant to the Mayor's Executive Order, no rent increases can be applied to occupied RSO units. Instituting the rent freeze retroactively to March 4th will place further financial and administrative burdens on rental housing providers by requiring that they issue refunds to

renters who received a legally permissible rent increase before March 30th, many of whom may now not be paying rent pursuant to the City’s eviction moratorium. Regarding applicability to the City’s non-RSO units, we do not believe that the City has the legal authority to institute such restrictions and is preempted from doing so by State law.

- **Classifying Unpaid Rent As Consumer Debt – Agenda Item 38 (Council File 20-0409)**

This motion proposes to re-classify unpaid rent as consumer debt, not subject to the unlawful detainer process. Through the temporary urgency ordinance, renters are provided with twelve (12) months following the expiration of the emergency period to repay unpaid rent due. As the pandemic continuously evolves, the duration of the emergency period is unknown and as a result the date upon which the repayment period will begin remains unclear.

During the emergency, rental housing providers, who are also experiencing financial hardships due to the pandemic, are being required to provide interest free loans to their customers for over a year. A requirement that has not been imposed on any other business. Re-classifying any deferred unpaid rent after a year as consumer debt would impede collection of such rent and raises other concerns. Unlike unsecured consumer debt, the payment of rent is based upon a mutually agreed upon lease agreement. There is also a court system specifically established to review and resolve disputes concerning unpaid rent. While the COVID-19 pandemic has necessitated government action, such action must not undermine the judicial system and the fundamental principles that are the linchpin of rental housing and the basis of lease agreements.

The proposal being advanced eliminates the most effective, legally permissible procedure to ensure repayment, compelling housing providers, who may not have received all or portions of past due deferred rent for more than a year to continue to provide housing to the renter who has failed to repay deferred rent, into civil litigation to obtain a judgment that they may never be able to collect. While the City’s urgency ordinance specifically states the ordinance does not eliminate any obligation to pay lawfully charged rent, this proposal would serve to disincentivize any renter afforded these protections from fulfilling their rent repayment obligations while simultaneously precluding the rental housing provider from initiating an otherwise legitimate unlawful detainer proceeding. This proposal will result in housing providers incurring losses, which will likely be passed on to new renters in the form of higher rents. The equitable solution is for the City to assist renters who are unable to repay deferred rent through a City funded rental assistance program, not by converting unpaid rent into consumer debt which may never be collected.

- **Prohibition on Tenancy Terminations – Agenda Item 39 (Council File 20-0404)**

Both Governor Newsom and the Judicial Council have issued orders suspending unlawful detainer actions during the emergency period and for a designated time period following the conclusion of the emergency. The motion under consideration goes beyond the intent of the Governor’s Order and the Judicial Council’s actions by prohibiting a rental housing provider from even issuing a 3-day notice to a renter who, for example, is creating a nuisance or engaging in illegal activity affecting other renters at a property. The proposal takes away a rental housing provider’s ability to address these issues as they arise and preserve future rights, by creating the

potential of a finding that the housing provider has waived the right to seek a cure of the breach by failing to timely object. It is vital that rental housing providers be permitted to issue a notice of termination so that they can preserve their right to later commence an unlawful detainer action as warranted.

The COVID-19 pandemic has significantly affected, through no fault of their own, City residents and businesses alike. The proposals discussed herein and under consideration at the April 22nd City Council meeting will accomplish very little in effectively alleviating the financial and related hardships facing the City today and in the coming days or facilitate the economic rebound ahead.

Thank you for your time and consideration of these matters. If you have any questions, please call me at (213) 384-4131; Ext. 309 or contact me via electronic mail at danielle@aacla.org.

Very truly yours,

Danielle Leidner-Peretz

Danielle Leidner-Peretz

Communication from Public

Name: S Jones

Date Submitted: 04/21/2020 01:39 PM

Council File No: 20-0404

Comments for Public Posting: Landlords are not the enemy. Landlords create and provide housing, a service that LA considers essential. Your tenant leaning policies must stop. I look forward to working together to provide a solution that works for everyone and not only renters.

Communication from Public

Name: Judge Steven Cohen (retired from the CSLB Appeals Board)

Date Submitted: 04/21/2020 01:44 PM

Council File No: 20-0404

Comments for Public Posting: Dear Council Members, As much as tenants greatly appreciate the ability to defer their rent, tenants who do not pay back deferred rent during the 12 month period should be subject to eviction. Put simply, a landlord who is on the edge of financial disaster will need to replace a tenant who defaults after waiting 12 months to receive back due rent. Given that I hear these types of cases, it would be unfair to the landlord after providing a full year for repayments to be prevented from filing a UD. The burden on the landlord to have to wait up to 12 months to received deferred rent is already very difficult to deal with and many landlords will not survive this financial burden. With a goal to assure that housing continues to exist, there must be a balance in protecting both tenants and Landlords from financial disaster. Because I must maintain a neutral position as a Judge and have no political persuasion I know that housing must be given the strongest possible support. This therefore requires protection to both tenants and landlords. If a tenant fails to pay all their back rent after a full year, the entire burden will fall on the Landlord. If the apartment building is taken over by the bank due to default in paying the mortgage, property taxes, utilities, etc, then maintaining the building wall fall by the waist side. Banks do not do a good job at maintaining properties that they have to take back due to defaults. Please give this some thought as you consider Item #39 under Tenancy Prohibition. If I could vote, I would not vote in favor of #39. Thank you for your kind consideration. Judge Cohen

Communication from Public

Name: David Seitz

Date Submitted: 04/21/2020 02:44 PM

Council File No: 20-0404

Comments for Public Posting: It is completely astonishing to me that an eviction moratorium is even controversial. People are losing their jobs in unprecedented numbers. LA is already dealing with a massive homelessness crisis. Our lack of affordable housing makes us a national embarrassment. 60 percent of Angelenos are renters. Renters are disproportionately Black and Brown, these are the communities already hardest hit by COVID-19 and by the accompanying economic crisis. What exactly do you think going to happen if you don't do this? You'll get some landlords off your back... and exacerbate the national embarrassment that is the LA homelessness crisis? If you care about the people of LA, if you care about diversity, if you care about public health, not just about the landlord class, you need to put a robust and comprehensive eviction moratorium in place immediately. You serve the people, not just the landlords. So serve us! Do your jobs.

Communication from Public

Name: Jean

Date Submitted: 04/21/2020 02:50 PM

Council File No: 20-0404

Comments for Public Posting: Please pass this measure. Housing is a human right and evictions during a global pandemic is unethical. Allowing evictions will only endanger the overall public health of our citizens.

Communication from Public

Name: Miriam miller

Date Submitted: 04/21/2020 02:57 PM

Council File No: 20-0404

Comments for Public Posting: Dear Councilmembers: I am writing to strongly oppose agenda items 37, 38, 39. These measures will bankrupt our business and consequently lead to increased unemployment as we terminate staff and reduce benefits such as medical insurance, 401 (k) matches and other employee related expenses. We will be forced to reduce services to tenants, such as maintenance, janitorial, landscaping, apartment upgrades, facility upgrades such as painting, exterior maintenance and repair. Consequently, these reductions in services would have a “ripple effect” to vendors who supply paint, carpet, maintenance parts, appliances, cabinets, landscaping and janitorial services. Vendors would be forced to reduce their workforce. Over 95% of our costs remain fixed [Foot Note 1 below]. Mortgage payments, utility payments, trash collection, insurance and property tax. As business closes, City income will be reduced both from tax revenue loss and increased costs associated with unemployment compensation payments, Medicaid, food stamps and other services needed for an unemployed citizen. These draconian measures shelter people who are able to pay rent and do not aid those who may be struggling. As employment opportunities contract for business so will our tenants ability to rejoin the workforce be severely reduced. FOOT NOTE 1: FIXED COSTS ARE BASED UPON ACHIEVING 95% OCCUPANCY AND COLLECTION. CURRENTLY OUR OCCUPANCY IS CLOSE TO 90% AND OUR COLLECTION LOSS AND DEFERRAL REPRESENT 20% OF OUR SCHEDULED INCOME. YOUR PROPOSED MEASURES WILL DRAMATICALLY INCREASE OUR COLLECTION LOSS AND BY CONVERTING THE DEFERRED RENT TO CONSUMER DEBT WE WILL HAVE NO WAY TO RECOVER THIS REVENUE IF A TENANT DOES NOT WANT TO PAY. THE ADDITIONAL LOSSES CREATED BY YOUR UNNECESSARY MEASURES WILL MEAN THAT WE NOT BE ABLE TO PAY OUR UTILITY BILLS, PROPERTY INSURANCE PREMIUMS, PROPERTY TAXES, ETC. THIS WILL RESULT IN HUGE LOSSES TO THE CITY OF LOS ANGELES. PLEASE DO NOT APPROVE THESE MEASURES FOR THE GOOD OF OUR COMMUNITY AND THE FUTURE OF OUR ECONOMY.
Miriam Miller Executive Vice President Cordary, Inc. 3611

Motor Avenue Suite 100 Los Angeles, CA 90034 (310) 253-5494
ext. 334 (310) 253-5499 fax

Communication from Public

Name: Molly

Date Submitted: 04/21/2020 03:00 PM

Council File No: 20-0404

Comments for Public Posting: LA must have a real eviction moratorium, prohibiting eviction notices, lockouts, and utility shutoffs. Anything else is absolute sadism on the part of city council and the mayor, and we will all remember this moment when it's election time. Eviction moratorium now!

Communication from Public

Name: Stephanie P

Date Submitted: 04/21/2020 03:03 PM

Council File No: 20-0404

Comments for Public Posting: All evictions need to come to a stop during this pandemic. Some landlords will take advantage of this situation to evict tenants that are on a fixed income or low paying tenants to move in more affluent tenants at a higher cost. We need to make sure people don't lose their shelter especially those on a fixed income. It is a tough situation that we are going through and now more than ever we need to place PEOPLE OVER PROFIT. People should not be worried about being able to stay in their homes. Mortgage companies/banks need to understand this, too.

Communication from Public

Name: Brock Harris
Date Submitted: 04/21/2020 03:17 PM
Council File No: 20-0404

Comments for Public Posting: Dear City Clerk Wolcott, As a housing provider in L.A., I am strongly opposed to items 37, 38 & 39 on the upcoming council agenda. Aspects of these proposals are likely unlawful as they are governed by state and federal law, have had no discussion and are redundant of actions already taken. These proposals do not aim to alleviate issues related to COVID-19 but further amplify the economic damage and confusion unfolding. I urge you to focus on solutions such as supporting and expanding item 66 which aims to help struggling renters. I understand that the COVID-19 pandemic has created a great deal of uncertainty for Angelenos. That is why I support item 66, a renter's relief program. I have been working with my residents that are struggling. I have instituted payment plans, deferred rent, highlighted resources and halted rent increases. I am doing everything I can to be part of the solution to this unprecedented crisis. Many housing providers are not eligible for mortgage relief and are facing tenuous financial circumstances that will affect all contractors, suppliers and employees of these communities. Items 37, 38 and 39 before you are an overreach; not a solution to this economic and health emergency. Like the 12 month deferral period, this will create a great deal of financial uncertainty and distress for the entire rental housing industry and those whose jobs depend on it. These policies will make the problem worse. I recognize everyone is struggling, but this goes too far. I respectfully ask the council to focus on solutions such as item 66 and reject 37, 38 & 39.
Respectfully, Brock Harris

Communication from Public

Name: Remy Gates

Date Submitted: 04/21/2020 03:20 PM

Council File No: 20-0404

Comments for Public Posting: People can't pay rent. There's no reason to stress them about something they cant do. We are literally in a crisis. If people who are paying rent aren't receiving income, what sense does it make that landlords receive income?? No one should have to decide between food or home, especially considering people already dont have savings. IMMEDIATE RENT FREEZE, AND FORGIVENESS.

Communication from Public

Name: Josh James

Date Submitted: 04/21/2020 03:24 PM

Council File No: 20-0404

Comments for Public Posting: This MUST be passed. How can someone pay rent when they can't make any money and it's out of their control?!? These super wealthy landlords can afford a few months of no rent. And for the smaller landlords, give them relief for any missed rent. Thank you...

Communication from Public

Name: Alexis

Date Submitted: 04/21/2020 03:27 PM

Council File No: 20-0404

Comments for Public Posting: Landlords are still giving out eviction notices, leaving people vulnerable to exploitation. We need a real blanket moratorium on evictions that protects all tenants.

Communication from Public

Name: Omar S.

Date Submitted: 04/21/2020 03:28 PM

Council File No: 20-0404

Comments for Public Posting: A full and comprehensive eviction moratorium is the necessary and morally correct thing to do. Prior to COVID-19, LA was already in the midst of a homelessness crisis and anything short of a full eviction moratorium will only exacerbate not just the homelessness crisis, but the COVID-19 pandemic. We understand that landlords have bills to pay, but valuing money over human life is not the kind of society I want to live in.

Communication from Public

Name: Alex Fierro-Clarke

Date Submitted: 04/21/2020 04:39 PM

Council File No: 20-0404

Comments for Public Posting: Please enact an eviction moratorium for the duration of the COVID-19 pandemic. Landlords are still giving out eviction notices, leaving people vulnerable to exploitation. We need a real blanket moratorium on evictions that protects all tenants.

Communication from Public

Name: Liam Fitzpatrick

Date Submitted: 04/21/2020 04:40 PM

Council File No: 20-0404

Comments for Public Posting: The people need an actual eviction moratorium. Full stop. "Delaying evictions," allowing landlords to continue to serve eviction notices, it's not enough. We need to pass this motion to ensure that the hundreds of thousands of Angelenos who've lost their livelihood because of this emergency aren't forced out of their homes. Unless the Council passes this motion, we will see a higher death rate as a result of COVID-19. That's just a fact. There's a study from Harvard that suggests social distancing periods will be necessary until 2022. We have to prepare for that eventuality and allow people the time and resources they need to safely isolate. Please, do the right thing. Link to study:
<https://science.sciencemag.org/content/early/2020/04/14/science.abb5793>

Communication from Public

Name: Miryam Bachrach

Date Submitted: 04/21/2020 04:42 PM

Council File No: 20-0404

Comments for Public Posting: No evictions, no lockouts and no utility shutoffs to get people to move out as a result of the corona virus catastrophe is an absolute necessity to avoid an even worse social disaster down the road. Could this eviction moratorium cause problems for landlords who may not be able to pay their mortgages? Probably! There should be protections for them too where necessary, because a wave of foreclosures probably isn't great for renters (or landlords) either. But the need for additional protections doesn't mean we shouldn't protect whom we can now.

Communication from Public

Name: Ian Jack

Date Submitted: 04/21/2020 04:47 PM

Council File No: 20-0404

Comments for Public Posting: We ask LA city council members to vote NO on motions 37, 38 & 39. My wife and I are seniors who live on the rents from our 3 small rent controlled apartment buildings after we pay the mortgages the taxes and the maintainance on the buildings. Most apartment owners in LA are individuals or small family business like us. The current city mandate for deferment of rent without eviction during the Covid 19 crisis as well as giving tenants 12 months to repay any deferred rent once the emergency is lifted is a difficult but reasonable solution for both tenants and landlords. Please do not impose the additional restrictions in 37 38 & 39 on our ability to collect lawful rent. No one is evicting anyone, we are working with tenants individually to reach balanced positive results. We can't afford to absorb the unintended consequences that these new measures are very likely to create. Thank you Ian Jack

Communication from Public

Name:

Date Submitted: 04/21/2020 04:44 PM

Council File No: 20-0404

Comments for Public Posting: Please support and vote yes on this motion. Many renters are still feeling pressure from their landlords to sign predatory rent repayment agreements and prove evidentially that the Coronavirus has caused their inability to pay which is an undue burden. This motion would help clarify that evictions during this period are off the table and should not be pursued by landlords while renters are struggling financially.

Communication from Public

Name: Eli Longnecker

Date Submitted: 04/21/2020 04:50 PM

Council File No: 20-0404

Comments for Public Posting: Landlords are still giving out eviction notices, leaving people vulnerable to exploitation. We need a COMPLETE moratorium on evictions so that all tenants in LA are protected, regardless of their ability to prove hardship directly connected to COVID. EVERYTHING is connected to COVID: it is impacting us in all areas of life. Housing policy must take that into account.

Communication from Public

Name: Andrew Perrine
Date Submitted: 04/21/2020 04:53 PM
Council File No: 20-0404
Comments for Public Posting: The eviction ban is absolutely needed. The previous efforts are nonsense. Everyone is hurting economically, we are already in a recession whether or not we are sick.

Communication from Public

Name: Daniela D

Date Submitted: 04/21/2020 04:53 PM

Council File No: 20-0404

Comments for Public Posting: We are the richest country in the world, and Los Angeles is one of the richest cities in the country, and yet, none of that makes any difference in the lives of Angelenos who live paycheck to paycheck and spend at least half of their income on rent. The massive wealth this city has makes no difference to those who go to sleep without permanent, stable housing. It angers me when people call the coronavirus the great equalizer, because the truth of the matter is, for whom is this crisis the great equalizer? Sure, anyone can be infected, but the reality is that the unhoused and those of us who are working class are severely more at risk of catching and spreading the virus than wealthy individuals who have healthcare and the luxury of staying and working from home. How is this the great equalizer for housekeepers who still have to perform domestic services for the rich? If they don't show up to work, they won't get paid, and at worst, they could even be fired. Millions are forced into this position of choosing between paying the bills or potentially dying. All because we have man-made systems that prioritize capital over human lives. If the mayor and the city council actually gave a damn about the unhoused, we would be more prepared to handle this crisis. Over 50,000 people living on the streets are at risk of infection. With the current "tenant protections" the city council enacted a few weeks ago at the disastrous 11-hour virtual meeting, even more Angelenos face the risk of homelessness due to eviction after the emergency period is over. The protections we have in place are NOT STRONG ENOUGH. Landlords can still initiate eviction proceedings over non-payment of rent. Residents who can't make rent during the emergency period are now responsible to pay back rent 12 months after the emergency period is declared over. Will someone please tell me how someone who has either lost their job, or makes less than \$15 an hour, is expected to pay utilities (gas, water, power, cell phone, internet, car insurance just to name a few), food, rent, ON TOP OF OWED RENT??? IN A CITY WHERE THE AVERAGE RENT OF A ONE-BEDROOM APARTMENT IS \$1,360??? WHERE THE HELL DO THESE ELECTEDS THINK ALL OF THAT MONEY IS GOING TO COME FROM WHEN 1.3 MILLION JOBS HAVE BEEN LOST IN LA COUNTY??? The 12 month window is a death sentence that only delays evictions from happening now to next year. The

number of jobs lost doesn't even count jobs in the informal economy, many of which are performed by undocumented folks who are scapegoated for the country's problems and still face the risk of detention and deportation. It's astounding that, with these harsh realities that existed way before the pandemic came to slap us in the face, the city government isn't acting urgently at all. Eight members of the city council are landlords, and in an unsurprising move, they patted themselves on the back for passing the watered-down "tenant protections" mentioned above. In fact, that meeting took place after mounting public pressure the council president, Nury Martinez, received, after deciding to suspend council meetings to a later, undetermined date because they couldn't figure out how to have Zoom meetings. Jobs all over the country have transitioned to virtual meetings, and the LA City Council, with every resource at its disposal, couldn't have its tech team figure this out? Talk about peak incompetence. The LA City Charter explicitly states that the mayor can commandeer "...property as is needed for the protection of life..." so why isn't Eric Garcetti taking bolder action to do this? He has a ripe opportunity to end the suffering of the marginalized people in this city RIGHT NOW by commandeering the thousands of hotel rooms sitting empty for emergency housing. It's not a permanent solution by any means, but it will at least provide immediate, safe, isolated shelter with access to clean running water to the most vulnerable in our city. LA (and the rest of California) needs to pass a real eviction moratorium to protect those who can't pay rent. People can't be expected to stay home if the government doesn't ensure they won't be evicted from their homes during AND after the crisis. Period. We also need #NOVACANCIES. It's unacceptable that there are nearly 5,000 empty hotel rooms in LA at this very moment while people are sleeping on sidewalks and in their cars. Inaction = death and quite honestly, it's a form of social cleansing. We're not safe until we're all safe.

Communication from Public

Name: Alexander W. Schwada

Date Submitted: 04/21/2020 04:54 PM

Council File No: 20-0404

Comments for Public Posting: I am writing today in opposition to Items 37, 38 and 39. The City has so far ignored that there are 2 sides to the landlord-tenant relationship in its response to the COVID-19 crisis. The City's response has been wholly one sided in favor of renters without any consideration for the pressures landlords face. Even the Los Angeles Times acknowledged that landlords need help (Editorial: It's not just renters. Landlords need help, too). Many tenants are facing hardship at this time, and for those genuinely impacted by the COVID-19 crisis and unable to pay their rent because of it, allowances should be made. The City has already addressed this in its prior motions. However, the City has failed to require that tenants provide proof to landlords that they are unable to pay their rent due to COVID-19. As such, the City's policies are creating a setting for opportunistic tenants to simply not pay their rent, even if they are able to do so. The Items being considered by the Council continue to drive landlords to the brink of insolvency. Item 37 prohibits landlords from the ability to raise rents and is unnecessary given the current climate – in short, landlords are struggling to collect rent, and are not raising rent. Item 38 converts unpaid rent from being subject to unlawful detainers to consumer debt. This robs landlords of the fundamental ability to obtain possession of their unit if the tenant does not repay, makes recovery unlikely and encourages opportunism by tenants to not pay the rent regardless of their ability to pay. Item 39 prevents landlords from even filing a 3 day notice for violation of the lease, depriving landlords of a remedy for serious violations. Below is a sample of some expenses that landlords will continue to have to pay during the COVID-19 crisis: 1. Property taxes 2. Utilities 3. Mortgages 4. Insurance 5. Maintenance How are landlords supposed to pay these costs if tenants have no motivation to make any payments (even if they are able) due to the City's policies? Landlords are the providers of housing – they should not be penalized or punished. They should be supported. But that is not happening in the City of LA. Most apartment owners in LA are mom and pop landlords. They may not make it through this crisis. The City will be pushing these mom and pop owners, who provide low cost housing, out of business. In their place will be large corporate landlords who will raise rents. The City has transitioned to a less and less reasonable approach in its response

to this crisis, which will hurt landlords who provide housing in this City. Los Angeles landlords did not create the COVID 19 crisis, so it is unclear why the City is asking them to shoulder the entire burden of the landlord-tenant relationship. If the City wants to help, it should provide rent vouchers to tenants so that both tenants and landlords can emerge from this crisis solvent and healthy.

Communication from Public

Name: Sarah C

Date Submitted: 04/21/2020 03:55 PM

Council File No: 20-0404

Comments for Public Posting: Landlords need a reasonable means to get deferred rental income from tenants who claim they are unable to pay due to COVID-19. If we can't use the law in a reasonable timeframe, many of us will never see that money back and tenants will continue to stay in their homes without pressure to make their debts whole. Many tenants are taking advantage of these laws to simply not pay and that is not equitable. If tenants don't have to prove their financial hardship unless the case gets litigated than you must keep our ability to litigate in place. Do not forget those of us who own small buildings with under 5 units and sustain ourselves with our rental income. It's a much different situation than a corporation or someone who owns tons of buildings with numerous rental units making a profit. As a duplex owner, I deserve protection too.
Thank you, Sarah

Communication from Public

Name: Lorenzo De Felitta

Date Submitted: 04/21/2020 03:52 PM

Council File No: 20-0404

Comments for Public Posting: Honorable Council Members, My name is Lorenzo De Felitta and I am a student activist from CD-5 (Paul Koretz I'm looking at you!) and a concerned citizen. Today I rise in support of Item No. 20-0404, a true eviction moratorium, that will ensure that in the midst of a global pandemic no Angeleno is thrown out onto our cold and unforgiving streets. The numbers are in. Millions of Californians have filed for unemployment in just a few weeks, and the national economy has ground to a halt. During this time countless hard working Angelenos are facing a threat that was unfathomable to them a few short weeks ago. The threat of homelessness. Our city must not allow one more Angeleno to become unhoused and we must take immediate action in the form of a full eviction moratorium to ensure that we do not allow human loss of life to occur because of rent. I urge you all to consider the millions of working people that make up the backbone of this city, the hundreds of thousands of folks who pay 90% of their income in rent, and I urge you to put yourself in their shoes. I urge you to think of the working backbone before corporate profits. I urge you to feel compassion to those who need compassion most. If the LA City Council truly cares about everyday hardworking Angelenos, I beg of you to please, please, please pass a full eviction moratorium. We cannot allow loss of human life to occur because of an eviction in the midst of a global pandemic. Sincerely, Lorenzo De Felitta

Communication from Public

Name:

Date Submitted: 04/21/2020 03:43 PM

Council File No: 20-0404

Comments for Public Posting: I urge you to vote in favor of Council File number 20-0404.

Communication from Public

Name: Sarah Roethke

Date Submitted: 04/21/2020 03:48 PM

Council File No: 20-0404

Comments for Public Posting: I am urging you please to protect the tenants of Los Angeles. Cancel rent and mortgages to ensure no one loses their homes during this health crisis. Where will the money come from once original protections are lifted? You must cancel rent and mortgages during this time and end evictions to ensure the health crisis is made worse by forcing people out of their homes.

Communication from Public

Name: Rory Kendall

Date Submitted: 04/21/2020 04:06 PM

Council File No: 20-0404

Comments for Public Posting: I am opposed to this item making evictions more difficult.

Communication from Public

Name: Danielle Carne
Date Submitted: 04/21/2020 04:04 PM
Council File No: 20-0404
Comments for Public Posting: I'm writing in support of a strong eviction moratorium that doesn't leave people struggling financially during this crisis with unplayable debt!

Communication from Public

Name: Ashley Kramer

Date Submitted: 04/21/2020 03:59 PM

Council File No: 20-0404

Comments for Public Posting: Housing is a human right. The city council has a moral obligation to protect renters from eviction in a pandemic. It is imperative that you block landlords from evicting tenants. People cannot pay rent and so landlords will try to find any loophole possible to evict their tenants. Do not allow them to worsen the housing crisis and force people onto the streets. Do the right thing. Those city council members who are themselves landlords should also recuse themselves.

Communication from Public

Name: Chris Schmader
Date Submitted: 04/21/2020 04:02 PM
Council File No: 20-0404
Comments for Public Posting: It is essential that the City Council prevent the COVID-19 health crisis from spiraling into an eviction crisis over the long term, leaving our most vulnerable community members at risk of losing their homes. I urge the City Council to pass a complete eviction moratorium to protect renters from these potential harms.

Communication from Public

Name: Juliet Deem

Date Submitted: 04/21/2020 04:14 PM

Council File No: 20-0404

Comments for Public Posting: my income was drastically impacted by the economic crises posed by covid-19, after i was laid off in march. housing is a human right, and ownership of a rental property is not without risk. during this period of time in which my livelihood is largely impossible, i feel for those who have found themselves in even more dire straits, a community i assume is largely renters like myself. why not lend your constituents peace of mind in regards to a roof over their heads during this otherwise unpredictable and stressful time ?

Communication from Public

Name: Ma'ayan Dembo
Date Submitted: 04/21/2020 04:30 PM
Council File No: 20-0404
Comments for Public Posting: Landlords are still giving out eviction notices, leaving people vulnerable to exploitation. We need a real blanket moratorium on evictions that protects all tenants, without undue burdens of documentation to prove a direct connection to COVID-19. Tenants are more vulnerable than landlords!

Communication from Public

Name:

Date Submitted: 04/21/2020 04:31 PM

Council File No: 20-0404

Comments for Public Posting: My family fled China and immigrated to America to escape persecution, imprisonment and death during Mao Zedong's "revolution". We came here with nothing but, through hard work we were able to persevere and regain and rebuild a life here in America that was taken from us in our homeland. By continuing that tradition of hard work I have been lucky enough to save enough money to buy a few small properties that now serve as income to me and my family. As I have commented on the other motions, in order to make any profit, we do all the work ourselves: maintenance, billing, accounting, etc... We care for our tenants and believe that most of them are good and will strive to do their best to pay back any lost rent. However there is always someone who will take advantage, or without threat of repercussions can become a nuisance and at worst, a threat to the other tenants. California law already favors the tenant and inadvertently protects the abusive while harming the innocent. I had a tenant who smoked in their unit which was below the unit of a young couple who had a newborn baby. They reported that the smoke would drift up into their living room and the infants room. Even though we sent many notices for that tenant to stop smoking they were ignored and we couldn't do anything more. We were only able to evict this bad tenant through an issue they choose to ignore, otherwise we would still have them. With this motion how can I protect my tenants let alone my investment? While we understand that some action needs to be taken by the State, County and City governments to give some relief to those less fortunate they have not taken into consideration the needs and hardship of the property owners. These proposed motions will severely affect my ability to protect my tenants as well as the property I have worked so hard for and continue to work hard to maintain. I strongly urge you to reconsider these motions (20-0407, 20-0409 and 20-0404) or give some relief to the property owners as well. By not doing this you will crush all of us who are not backed by a corporation or a conglomerate. We are part of this state, this city and we too are suffering.

Communication from Public

Name: William Litton

Date Submitted: 04/21/2020 04:31 PM

Council File No: 20-0404

Comments for Public Posting: The current COVID-19 eviction protections in LA are far too weak, and landlords are already going to great lengths to subvert them. Regardless of circumstances, no one should face the threat of eviction while there is a statewide directive to shelter in place--a directive intended to protect the health and safety of everyone. A blanket eviction moratorium should be the very least of a host of robust policies you must enact immediately to protect public health and support your constituents, including but certainly not limited to: No evictions. No utility shut-offs. Cancel rent. The vast majority of your constituents, tenants and mortgage-holders alike, have never been under greater duress. A staggering number of Angelenos have lost their income and already missed April mortgage and rent payments. Many who have never tuned into local politics are now watching very closely. This situation is only going to escalate in May. If your voters face any threat of eviction and become further buried in debt during this crisis, you have absolutely no hope of reelection.

Communication from Public

Name: Bob Grunauer

Date Submitted: 04/21/2020 04:22 PM

Council File No: 20-0404

Comments for Public Posting: Dear Council Members, Please vote against these provisions. Small businesses such as ours can't continue to exist. Those of us who have struggled and worked hard to build our businesses shouldn't be the ones that get ruined by laws that seek to destroy us. A much better solution would be to institute vouchers that are funded by the government. That way tenants get the help they need and you don't destroy our businesses. The agenda items are anti-business, anti-capitalist and completely unfair to those of us who have struggled our entire lives creating. Please vote against these Agenda Items. Sincerely, Bob Grunauer

Communication from Public

Name: Bob Grunauer

Date Submitted: 04/21/2020 04:23 PM

Council File No: 20-0404

Comments for Public Posting: Dear Council Members, Please vote against these provisions. Small businesses such as ours can't continue to exist. Those of us who have struggled and worked hard to build our businesses shouldn't be the ones that get ruined by laws that seek to destroy us. A much better solution would be to institute vouchers that are funded by the government. That way tenants get the help they need and you don't destroy our businesses. The agenda items are anti-business, anti-capitalist and completely unfair to those of us who have struggled our entire lives creating. Please vote against these Agenda Items. Sincerely, Bob Grunauer

Communication from Public

Name: Bob Grunauer

Date Submitted: 04/21/2020 04:23 PM

Council File No: 20-0404

Comments for Public Posting: Dear Council Members, Please vote against these provisions. Small businesses such as ours can't continue to exist. Those of us who have struggled and worked hard to build our businesses shouldn't be the ones that get ruined by laws that seek to destroy us. A much better solution would be to institute vouchers that are funded by the government. That way tenants get the help they need and you don't destroy our businesses. The agenda items are anti-business, anti-capitalist and completely unfair to those of us who have struggled our entire lives creating. Please vote against these Agenda Items. Sincerely, Bob Grunauer

Communication from Public

Name:

Date Submitted: 04/21/2020 04:24 PM

Council File No: 20-0404

Comments for Public Posting: As a student with no additional income as I out of a job. I'm in support for prevent evictions during these uncertain times.

Communication from Public

Name: Cici

Date Submitted: 04/21/2020 04:28 PM

Council File No: 20-0404

Comments for Public Posting: The landlord class is rich from exploiting working class people for housing for centuries, they can survive this and we know it. "Mom and Pop" landlords are an extreme minority and we should be careful of landlords or politicians exploiting narratives of exceptionism to guide policy. This emergency warrants that we not put burden on the working class: that would be catastrophic and flat out stupidity. Time to shift towards a universal rent control and phase out the vulture Landlord class for good. We cannot continue the "normal" that existed pre-covid anyways: we were already set for an all out housing crisis onset by greed.

Communication from Public

Name:

Date Submitted: 04/21/2020 11:52 AM

Council File No: 20-0404

Comments for Public Posting: I urge all city council members to vote YES and establish a true eviction moratorium in Los Angeles in the interest of public health. As a property owner in CD-1, a district in which 90% of residents are renters, I particularly call on my City Council rep, Gil Cedillo, to step up and pass these protections to help the people of our district. As our governor has repeatedly told us, there is nothing more effective in preventing the spread of coronavirus than STAYING HOME. If LA City Council does not pass this measure, families will be evicted, adding to the already shameful number of houseless people in our city. The virus will spread further, the city's poorest will die and their blood will be on your hands. Please remember that.

Communication from Public

Name: A. Garcia
Date Submitted: 04/21/2020 11:57 AM
Council File No: 20-0404

Comments for Public Posting: I am a small-time property owner. My wife and I own a single small building with 4 units. We used our life savings to buy the building about 1.5 years ago and we made major improvements to the building to make it nice and livable. We are friendly, responsible landlord that quickly take care of an issues reported by tenants. Given the expensive real estate market and the money we spent to improve the building, we are deep in debt for the building. The rents we charge barely cover our mortgage, property taxes and utilities. We expected that we will make very little profit in the early years, but we bought it as a long-term investment hoping that it will grow in value over time. Currently, we are in a position where we are losing money each month since some of our renters are no longer paying rent. We have no recourse and we have received absolutely no help from the city, state, or federal government. We personally have lost income from our jobs, too, so it is going to be very difficult to make ends meet as we have to dip into our limited savings to cover our mortgages and other bills. I understand why there is concern for renters - that makes sense and we personally care about our tenants. We were renters for many, many years before we saved up enough to buy a home. But I don't understand how city or state governments can make it easy for tenants to stop paying, while offering absolutely no help to the property owners! It is easy to imagine that property owners are huge, rich corporations, but most property owners are small-time owners like us. And as relatively new owners, we are still paying off initial improvements that make for a very tight financial situation when times are good. Even if my tenants ultimately pay me for the missed rent payments, they have a year to do so. That means I am effectively giving them interest-free loans for a year while we struggle to stay afloat. This is completely unfair. Please keep us small property owners in mind as you try to help our city deal with Coronavirus economic issues.

Communication from Public

Name: Warren Fong

Date Submitted: 04/21/2020 12:06 PM

Council File No: 20-0404

Comments for Public Posting: I am in support of a real eviction moratorium that protects low income renters and the most vulnerable people of Los Angeles. An eviction moratorium would prevent the loss of housing for thousands of residents who would otherwise end up living on the street through no fault of their own. While I understand the burden this places on landlords, they have far more access to government support as well as the banks that are backing the loans they must pay. An eviction moratorium is good policy that saves the city an unimaginable human toll and will save the city in service costs to try and help people who are evicted and homeless get back on their feet.

Communication from Public

Name: Rob Miller

Date Submitted: 04/21/2020 12:06 PM

Council File No: 20-0404

Comments for Public Posting: As a 20-year renter and stakeholder in Los Angeles, I demand that you pass REAL eviction moratorium, prohibit eviction notices, lockouts, and utility shutoffs immediately.

Communication from Public

Name: Adam

Date Submitted: 04/21/2020 11:24 AM

Council File No: 20-0404

Comments for Public Posting: Put in place an eviction moratorium immediately (no exceptions).

Communication from Public

Name: Joey Fischground

Date Submitted: 04/21/2020 11:26 AM

Council File No: 20-0404

Comments for Public Posting: Please enact an eviction moratorium. This will mean the difference between homelessness and safety/security for thousands of Angelenos. This means everything, especially as a recent grad trying to start my career in this city. Please give me a future.

Communication from Public

Name: Cheryl Santiel-Taylor

Date Submitted: 04/21/2020 11:30 AM

Council File No: 20-0404

Comments for Public Posting: What is the council doing to help protect the property owners? It seems that you are only focus on the tenants but nothing for the tax-paying landlords, especially the small mom and pop owners. There are bad tenants out there that is taking advantage of not paying their rent even if they are not actually affected by Covid-19. We do not have 12 months to pay back or catch up on our mortgage payments. The banks wants their money all at one time. have to take money out of my retirement account to support my non-paying tenant(s). This is really unfair to us. Please consider not passing every measure for the tenant and really consider the owner for once.

Communication from Public

Name: Dyanne Cano

Date Submitted: 04/21/2020 11:12 AM

Council File No: 20-0404

Comments for Public Posting: I am full support of the proposed Eviction Protection Expansion / COVID-19 Pandemic / Tenancy Termination Prohibition / Emergency Ordinance. It is important and necessary to support all tenants in the city of Los Angeles right now during this pandemic. Housing is not a privilege, it is a basic human right.

Communication from Public

Name: Nick Rheinwald-Jones

Date Submitted: 04/21/2020 11:12 AM

Council File No: 20-0404

Comments for Public Posting: Some of us are fortunate enough to be able to work from home, or have enough savings to last us through an extended lockdown. But we are the minority. The vast majority of Angelenos have either lost their jobs entirely or at the very least have lost significant income as a result of the pandemic. We need to take care of these people. Fully preventing evictions is literally the least we can do, but it is a decent first step. As our council members well know, all votes are permanent record. When the dust settles, there will be a reckoning of who supported those in need and who did not. This is a good time for them to ask themselves what side they want to be on.

Communication from Public

Name: Maebe A. Girl

Date Submitted: 04/21/2020 10:47 AM

Council File No: 20-0404

Comments for Public Posting: I urge you to vote in favor of a blanket eviction moratorium during the crisis. You must consider the fact that more than half of Angelenos are renters, many of who were already struggling before the Stay At Home orders. If you order us to stay home, you must protect us from eviction. There also needs to be a total suspension of rent and mortgage payments for those affected by the crisis. If City Council refuses to take these steps, we can expect a major increase in unhoused Angelenos over the next couple of years.

Communication from Public

Name:

Date Submitted: 04/21/2020 10:48 AM

Council File No: 20-0404

Comments for Public Posting: Edgewood Properties 720 North Spaulding Ave. LA 90046 Dear Council Members, My wife and I are property owners with a small six unit rental business. The covid pandemic has already encouraged several tenants to avoid or stall rent payments which are our sole source of income. Further State and local landlord restrictions are a hardship to us as small business owners. We feel that the upcoming .issues 37-38-39-68 are further stumbling blocks to our survival. Please consider our position and do not implement these further unfair burdens. We have been proud residents of Los Angeles since 1958. Sincerely, Neil and Patricia Seidel

Communication from Public

Name: Heather M Booth

Date Submitted: 04/21/2020 10:53 AM

Council File No: 20-0404

Comments for Public Posting: Better late than never, city council! The vast majority of your constituents are renters. The vast majority of us are now unemployed through no fault of our own. We face a pandemic, housing and food insecurity, and a coming depression the likes of which the world has never seen. You are so fortunate to have the ability to protect one of the basic human needs of your constituents (housing) with a simple vote. Many of us agonize every day over how to help our fellow humans while we face such precarity ourselves. The best among us are working tirelessly on mutual aid for their neighbors, putting themselves at great risk each day to go out and help their fellow Angelenos and don't receive a penny for that work - much less the 6 figure salaries you all are collecting to cancel city council meetings. Our people face harassment, ticketing, police violence and personal illness to help their neighbors; all you have to do is say "Aye" at tomorrow's vote on a true eviction moratorium. We NEED to cancel rents and mortgages NOW; in the meantime, a true eviction moratorium is literally the least you could do. Get it done!

Communication from Public

Name: Wilson Family

Date Submitted: 04/21/2020 10:54 AM

Council File No: 20-0404

Comments for Public Posting: Los Angeles residents suffering under Covid-19 require two basic necessities: food and shelter. The City Council should be doing everything in their power to support food distribution and the stability of housing. Yet rather than partner with housing providers, the City Council repeatedly undermines our ability to provide safe, reliable housing -- THAT WE ARE DOING IN A CRISIS -- PUTTING OUR FAMILIES AT RISK TO KEEP ROOFS OVER THE HEADS OF OUR TENANTS. 20-0404 is a poor choice. It would prevent housing providers from serving notice of tenancy termination when it is justly and legally warranted. Rather than undermine the housing providers, who are struggling during Covid-19 to keep properties functioning properly and tenants safe and secure, the City Council should focus on helping tenants pay rent and supporting housing providers, not villainizing us with another piece of legislation that will eventually collapse housing altogether.

Communication from Public

Name: David Potter

Date Submitted: 04/21/2020 10:57 AM

Council File No: 20-0404

Comments for Public Posting: Taking steps to make evictions more difficult than they are already are is a huge mistake. Please think of the 95% hard working tenants that are adversely affected by tenants that misbehave and small business owners hands are substantially restricted to enforce contractually existing lease agreements: I am a property manager of 20 units in the City of Los Angeles and here four examples is what I have already experienced in less than a month: 1. 35% of tenants did not pay rent and most of them have not even responded to required Covid forms that they were provided to them most have not even filed a proposed repayment scheduled. These tenants believe they are protected and have no obligation to communicate to the owners. 2. A tenant had unauthorized additional occupants move into their unit in a small buildings where they party into early hours of the morning disturbing the other tenants. These other tenants have jobs and children and their daily lives are being severely impacted by this tenant who is violating their lease agreements. (Owners have absolutely no recourse) 3. In another building (where I worked with the City to house homeless individuals) the tenant started to use methamphetamine and is up all night playing loud music and making disturbing noises a hard working family lives next door they share a wall. 4. One of the buildings I manage is a 3 unit building the owner nets about \$300 a month to the owner. Only 1 out of 3 units did not pay rent for April and he is already in the red. Unfortunately a few tenants are taking advantage of the moratorium and making life miserable for hard working Angelenos this madness needs to stop. Vote no on item #39 . This proposal goes beyond what was instituted by the Judicial Council by prohibiting owners from even serving a notice of tenancy termination, which is essential to preserve an owner's rights.

Communication from Public

Name: E.S

Date Submitted: 04/21/2020 12:51 PM

Council File No: 20-0404

Comments for Public Posting: This comment is in support of the Eviction Moratorium, item 39. Many individuals such as low income people struggle with disability, finances, or circumstances that make these past months unstable and unsafe on a daily basis. Due to Covid-19, many have lost jobs that will not recover. In my case my AmeriCorps Program will not restart thus leaving me with no income and no possibility for unemployment. A relief period is essential to allow individuals peace of mind that their place of shelter is not under siege. Shelter is a key factor for survival, for the most vulnerable humans it is our responsibility to ensure that landlord income sustainability doesn't take priority over human life. Landlords deserve protections for their mortgages and should support this measure as a path tot heir own benefit. Evictions mean people will gather in homes that are smaller and less managed. Forcing the poorest and most vulnerable to condense in spaces where their health and mental peace is further strained. Please support this measure and add further protections for the good people of Los Angeles which did nothing to cause this plight

Communication from Public

Name: Sachin Medhekar

Date Submitted: 04/21/2020 12:55 PM

Council File No: 20-0404

Comments for Public Posting: I'm lucky enough to be able to afford rent. Many are not. We need a full eviction moratorium or we are going to see an entirely avoidable spike in homelessness. Please do the right thing and protect vulnerable angelenos. Many landlords will not support this because it runs counter to business interests, but I ask you to place human life over profits. The people need you.

Communication from Public

Name: Andy

Date Submitted: 04/21/2020 12:43 PM

Council File No: 20-0404

Comments for Public Posting: Landlords are still giving out eviction notices, leaving people vulnerable to exploitation. The council **MUST** pass a real blanket moratorium on evictions that protects all tenants.

Communication from Public

Name: Brian Saracino

Date Submitted: 04/21/2020 01:12 PM

Council File No: 20-0404

Comments for Public Posting: Hello, My comments relate to pending measures 20-0404, 20-0407 & 20-0409. These are the measures related to landlord restriction of rent increases, re-classification of renters debt, and renter status per unpaid rent. I have an ownership interest in a rental property in Los Angeles County, and do understand the wide spread challenges the COVID Pandemic brings. And the many related elements, you all must consider. While I believe I understand, and respect, the underlying thoughts relative to these considered measures, I would suggest the measures are perhaps a bit too broad, and could create future challenges. Most of the individuals and families, who rent with us, have lived there for a few, to several years. An element of this longevity, is of course due to the fact we strive to keep the property nice, and continue to update it over time. To provide families a nice place to live. My concern is that broadly limiting the options of folks who own rental property, and want to provide a quality rental experience, could bring unintended future consequences, limiting the ability to continue to improve a rental property. Worst case future situation, would be the chance of ending up with some potential future renters, going forward, who have limited genuine interest in making best effort to pay at least some portion of their rent. This would of course limit the ability, to continue to ensure your rental property, continues to provide a quality living environment for renters and their families, (due to limited incoming rent), and no recourse to resolve the situation. While we have very limited turnover, and our goal is to find quality renters, who enjoy where they live, there is the potential possibility, of the scenario I outlined. While I understand that certainly not all folks who provide rental options, approach the situation, as we have for years, I do think that perhaps less broad, and wide sweeping measures, would be in the best interest of all, as we go forward. Thanks very much for reviewing, and considering my thoughts and comments. Most importantly, all the best to each of you, and your families, given our current challenges, related to COVID. Take care.

Communication from Public

Name:

Date Submitted: 04/21/2020 01:18 PM

Council File No: 20-0404

Comments for Public Posting: We are a group of housemates renting in district 1. Most of us have lost our jobs during this pandemic. If we cannot pay rent and become evicted, we may have to resort to living in our cars/vans. Although we are young, if we have to live on the streets without adequate shelter, we will be more likely to succumb to the Coronavirus. This is even more of a threat to thousands of people here in LA who may be older, with pre-existing conditions, and are at higher risk for severe Covid-19 complications. THIS IS NOT THE TIME TO CREATE MORE HOMELESSNESS. We need to control the spread of Coronavirus so that we can beat it and be able to restart our lives and economy. The more evictions take place, likely it will take longer before we can lift the stay at home orders. I am a biologist and epidemiologically, keeping people in their homes is the all we have to hope that we can resume “normal” life as soon as possible. DO YOU WANT OUR ECONOMY TO RECOVER AS QUICKLY AS POSSIBLE? Then you must vote FOR a real eviction moratorium.

Communication from Public

Name: Britney Spindler

Date Submitted: 04/21/2020 12:21 PM

Council File No: 20-0404

Comments for Public Posting: The city council has a responsibility to protect citizens of LA in this time. Many Angelenos already live paycheck to paycheck and suffer food insecurity. Over 50% of Los Angeles is jobless due to coronavirus, and many have been unable to get through to unemployment because of how overwhelmed the system is. The stress of existing during an international health crisis shouldn't include the fear of eviction. The LA City Council should push for total rent and mortgage forgiveness and an end to all evictions.

Communication from Public

Name: Ron Toews

Date Submitted: 04/21/2020 12:14 PM

Council File No: 20-0404

Comments for Public Posting: Dear Honorable Members, I own a few apartment buildings in the City of Los Angeles and I strongly oppose Items 37, 38 and 39 on the Wednesday, April 22nd City Council agenda. I realize that many of the renters in the City have lost their jobs or had their hours severely reduced and that in many cases their income has fallen dramatically. Such people are certainly in need of financial assistance to enable them to get through this very difficult time. However it is very unfair to ask property owners to shoulder so much of this burden. A more equitable approach would be to make resources available to renters that are unable to pay their rent so that they can afford to continue to pay the rent that is due. The approach of saying renters can just defer their rent will cause many landlords to be unable to pay their own obligations and will cause many of us to need to eliminate many of our own employees and reduce or eliminate planned upgrades to buildings and similar beneficial elective projects. Many property owners are already suffering financial hardship from the interruption of the April rent. Although many of my renters paid their April rent, a great many have already advised that they will not pay the May rent or months in the future so long as the City allows. In some cases it is because they are unable to, but in far more cases, they have simply decided to not pay because they say they have been told that they do not need to. The already lengthy and cumbersome eviction process for nuisance tenants, including tenants who may be conducting criminal activities at a property or are disturbing the quiet enjoyment of other residents at a property would come to a halt under the proposals. This would be a very unfortunate outcome for not only property owners who are facing a great deal of uncertainty and distress already while trying to work with other tenants but also for those other tenants who would like to live in a building free from these sorts of bad actors. Please do not further exacerbate the hardships of property owners by adopting Items 37, 38 and 39 on the Wednesday agenda. Instead, please try and fashion assistance for deserving renters that does not cause property owners to bear the entire cost of the help for renters. Rental assistance for deserving renters is a very sound idea, but it should be funded from the coffers of the City, not from the dwindling bank accounts of the property owners. Thank you for your careful consideration of this important matter.

Communication from Public

Name:

Date Submitted: 04/21/2020 12:19 PM

Council File No: 20-0404

Comments for Public Posting: I am a renter in LA and we need an eviction moratorium. This crisis has drastically impacted renters and many have even lost their jobs. It would be immoral and counter productive to allow landlords to evict tenants during a pandemic and force more people into the streets and out of stable homes. Landlords should also have a mortgage moratorium or some kind of relief, but we have to protect those with the least economic power which is the renters. These are the same people who work at the grocery store, who do essential services work like mask sewing, delivery services, and even healthcare and caretaker work. All renters need to be protected now!

Communication from Public

Name: Karin Messervey

Date Submitted: 04/21/2020 12:21 PM

Council File No: 20-0404

Comments for Public Posting: I believe we should enact Eviction Moratorium and Rent Increase Freeze. We should go as far as cancelling rent. It is not only unfair to the vulnerable, it would create material harm for the most vulnerable among us in a time when the unemployment rate is so high, and seeking employment is not only at its most challenging, it is outright dangerous to lives of the people. Likewise, Reclassify Unpaid Rent as Consumer Debt would only create insurmountably debts that places the lives of common people in the hands of their landlords like medieval serfs, and as such can only be seen as an act of extreme cruelty and evil.

Communication from Public

Name: makenzie mcneill

Date Submitted: 04/21/2020 12:12 PM

Council File No: 20-0404

Comments for Public Posting: Keep tenants SAFE at HOME! Now is the time our local government needs to step up and save people's lives - there can be NO evictions during this crisis!

Communication from Public

Name: Lyle Mackston

Date Submitted: 04/21/2020 12:13 PM

Council File No: 20-0404

Comments for Public Posting: It is IMPERATIVE that the LA city council vote for a real eviction moratorium! “We’ll all get through this together”.... if money isn’t the driving force.

Communication from Public

Name: Concerned Nurse

Date Submitted: 04/21/2020 12:23 PM

Council File No: 20-0404

Comments for Public Posting: Hello Council Members, Please vote to approve; I am a long time renter and know that making rent in the city of LA is not easy. I am writing on behalf of those who have been laid off, will be Furloughed due to City and County budget cuts, and countless of others adversely affected by Covid19. The reality is making rent in LA, is hard even when you have a full time job. The rents in this city have been unaffordable for years; you just need to look on the streets and freeway underpasses to see LA has a housing and rent issue. This is not the time to be evicting people or forcing them to repay debt that they will never be able to repay. This is not the time to create a bigger homelessness issue. We are in the midst of a devastating public health crisis and landlords expect the public to somehow scrape money to pay rent? We have people on their cars lining up for food banks and others seeking any public assistance they can receive. The federal stimulus checks we received are a joke for how expensive this city is and not everybody was entitled to it or has received theirs. In addition, there are several delays in processing unemployment and our own Governor has admitted we need to do better. Please, find a sustainable solution to help decrease the impact that Covid19 is having on the residents of LA. Vote yes to expand renter protections during the Covid19 pandemic!

Communication from Public

Name: Brittany Sternberg

Date Submitted: 04/21/2020 12:23 PM

Council File No: 20-0404

Comments for Public Posting: We are living in very uncertain times. Renters need additional protections more then ever now. Please vote for restricting evictions during the Covid pandemic, and extend them for 30 days post pandemic. Los Angeles already has a large homeless population, failing to protect us in this way will significantly increase our homeless population. No one should be losing sleep over the possibility of losing their home due to loss of income.

Communication from Public

Name: Alanna Holt

Date Submitted: 04/21/2020 12:29 PM

Council File No: 20-0404

Comments for Public Posting: I am a public defender, renter, and resident of Atwater Village. A full eviction moratorium is essential. Tenants are experiencing mass layoffs and an uncertain future. What's more, landlords are using mass confusion and the unprecedented nature of this crisis to make illegal demands of confused tenants, who are fearful of being thrown out their homes during a pandemic. Please pass a real eviction moratorium.

Communication from Public

Name: Mike Witte

Date Submitted: 04/21/2020 12:34 PM

Council File No: 20-0404

Comments for Public Posting: I am housing provider in the City of Los Angeles. I own and manage four rent controlled units. I borrowed money to buy the units. I worked extra hours for many, many years to afford the mortgage payment. This property represents my savings for my retirement and in the event of an emergency. The city, county and state governments are incrementally taking my property (my savings, my money) away from me. The ever increasing bills are harder to manage. The ever increasing controls result in decreasing revenue. The city only allows 3% to 4% increase per year but the bills increase more than that. Now I cant even collect the rent that I need to pay the bills. I think most renters would not pay bills if they dont have to. How is this USA? This is a Robin Hood State. More restrictions will reduce the value of the property that I worked so hard for for so many years. Why did I do that? Am I stupid? I feel like it now. I should have invested that money elsewhere. It seems to me that water, food and healthcare are more essential than housing. Why aren't these items cost controlled? What aren't the bills for these being deferred? The governement is slowly taking property from property owners wiht no compensation. Please consider the people have been motivated to provide housing in this City where housing continues to be scarce. Thank you.

Communication from Public

Name: J. Picado

Date Submitted: 04/21/2020 12:35 PM

Council File No: 20-0404

Comments for Public Posting: Hi! Angeleno of over 6 years here. Before the crisis I was hustling working two full time jobs. In May I was set to start at a new company in a high ranking position. The offer has since been rescinded due to the type of work as they don't see themselves opening back up through the summer. Now I'm locked in a lease with all 3 jobs (various industries) no longer operating. The EDD disqualified me because I marked I wasn't currently looking for work, and they haven't responded to my follow ups assumingly due to the overwhelming requests they're receiving. Obviously I'm not the only one in a similar situation. We need the moratorium and other protections to see us through this uncertain and difficult time. It's the just and humane thing to do. As the elected officials please don't turn your back on me and my fellow citizens by voting against what little we do have.

Communication from Public

Name: AT

Date Submitted: 04/21/2020 12:35 PM

Council File No: 20-0404

Comments for Public Posting: I am a renter in Koreatown. I know the city council is probably getting inundated with comments from landlords, so I wanted to represent the voices of the other 60% of Angelenos that don't own property. I urge the city council to pass items 28, 37, 38, 39, 58, 59, and 61. The last thing we need right now is for people to be threatened with homelessness, right as it is critical everyone stays home. The majority of Angelenos are renters and jobless. With no source of income, how can they be expected to pay rent? While the eviction moratorium is a step in the right direction, people are still being given notices to pay rent or quit, and are receiving other threats from landlords to pay rent that they cannot afford; most tenants are not aware of their rights, and don't know where to turn when they get these threats. This is unfair and inhumane. Being a landlord is not a job, it's an investment; like any investment, it carries risk. That risk should be shouldered by landlords and banks, not by people who are forced to lose their jobs by circumstances outside their control. If landlords are worried about making mortgage payments, they should be asking banks for mortgage relief, not harassing renters. In addition, I think more generous terms should be given to renters to pay back rent once the crisis is over--although personally I think rent should be waived altogether. I am extremely lucky to not only still have a job, but to have a job that allows me to save a substantial portion of my earnings for emergencies. Even with that, if I were to lose my job, I would quickly run out of money, and I certainly wouldn't be able to afford to suddenly double my rent once employed again. I am in the tiny minority of people who has any kind of financial stability--most Americans don't even have \$500 in savings! How are they supposed to suddenly pay extra rent when they can't even afford rent today? You are not protecting renters, you are just delaying future homelessness. Do the right thing. Protect your constituents--because yes, even the landlords will be in danger if there is a sudden wave of homeless people. Protect your constituents' lives even if it personally costs you money--it may be your life on the line if you don't.

Communication from Public

Name: Jane

Date Submitted: 04/21/2020 08:34 AM

Council File No: 20-0404

Comments for Public Posting: An eviction moratorium is the very least that LA City Council can do to ensure that people can stay in their homes and practice proper social distancing. Anything less than a real eviction moratorium risks prolonging the COVID-19 crisis and endangering lives.

Communication from Public

Name: James H

Date Submitted: 04/21/2020 07:43 AM

Council File No: 20-0404

Comments for Public Posting: Dear City Councilmembers, Please pass a moratorium on rent and evictions. This would include an immediate suspension of rent and a real moratorium on evictions where tenants cannot be evicted in this global health crisis nor should they be expected to pay back any rent during this time. So many of us (tenants and myself included) are struggling to get basic needs met without employment. Staying home and not working is an act of love for our community but also for our own safety. The California EDD website continues to be flooded with unemployment insurance requests that face delayed processing. So many people I know have not received their federal stimulus checks. Without these sources of income relief, how can anyone pay rent? It is inhumane to continue to ask tenants in this city, with some of the highest levels of rent, to continue to pay for a roof over their heads when they cannot work. We need a moratorium on rent and evictions now. Thank you, James Concerned Tenant PhD student in Public Health

Communication from Public

Name: Stefan Kamph
Date Submitted: 04/21/2020 07:58 AM
Council File No: 20-0404
Comments for Public Posting: Cancel rent now! Fully support a real eviction and shutoff moratorium! Represent your constituents, or your inaction will not be forgotten in the coming months!

Communication from Public

Name: Brad Sagal

Date Submitted: 04/21/2020 12:16 AM

Council File No: 20-0404

Comments for Public Posting: How can a person shelter in place if he has been evicted? How can he wash his hands if his water has been shut off? My name is Brad Sagal. I am a lifelong resident of LA and a member of Healthy LA. We're the largest coalition of labor unions, tenants unions, civic organizations and religious congregations in LA.

Communication from Public

Name: Staci O'Neal-Robinson

Date Submitted: 04/21/2020 09:13 AM

Council File No: 20-0404

Comments for Public Posting: City Council must pass a real, meaningful eviction moratorium. Thousands of Angelenos have lost their jobs. Hundreds more are being furloughed. Renters need protections now. Without them, our homelessness crisis will only continue to worsen.

Communication from Public

Name: George

Date Submitted: 04/21/2020 09:21 AM

Council File No: 20-0404

Comments for Public Posting: Please Vote AGAINST this MOTION. It is very disturbing to see the City of Angeles enacting one resolution after another limiting my ability to manage my property and to collect reasonable rents as controlled by the RSO rules. I understand that some of my tenants do not work right now but they are getting the \$1200 from the federal government and I hear \$1000 from the county, though most of them work from home and paying their rent is not a hardship. In the meantime when you are encouraging tenants not to pay rent, and ask owners to provide free housing to the multitudes, you want me as an owner to pay all of the required expenses like paying mortgage, various expenses, insurance and maintain my income property in a safe and sanitary manner. Your previous resolutions have allowed tenants to introduce animals into their units with somehow adverse effects to some of my tenants who are allergic to pets. All your hostile actions against apartment owners, will result for lot of owners to default and loose their investments with disastrous results to the city's financial system the tax base of this city, and investments into multifamily properties in the city. Again, Please vote AGAINST this MOTION

Communication from Public

Name: Elle Farmer

Date Submitted: 04/21/2020 09:22 AM

Council File No: 20-0404

Comments for Public Posting: Renters, working people, normal people who aren't rich corporations and business owners need help. You must provide the much needed relief and pass a full eviction moratorium now and for the duration of the crisis. Rent must be forgiven, and stopped. More than half of LA residents are out of work! It would be height of cruelty and stupidity to continue pretending that landlord greed must be satisfied while a depression kicks in. The People will remember who fought for them and who hurt them. Turning out families into the streets will only make your jobs as elected leaders less safe, not more. Stop all evictions and utility shutoffs, freeze all rent collection with no barriers to getting relief. Building owners already have federal loan and mortgage relief, renters deserve no less help and actually much more.

Communication from Public

Name: Thurmon Green
Date Submitted: 04/21/2020 08:53 AM
Council File No: 20-0404

Comments for Public Posting: Los Angeles needs a rent and mortgage suspension for the length of this pandemic. The only way the residents of LA and small business owners is if there is real relief. If the city council does not help renters and small business owners we will have an even worse homelessness crisis. Anything short of a rent suspension would cause even more suffering for people just trying to allocate money for food and other essentials. We also need to get all of unhoused Angelenos in hotel, motel rooms, and safe parking for the length of this pandemic and not allow anyone to end up back on the street after this pandemic. All of these measures are completely doable. We just need City Council to have moral courage, and stop catering to the interest of the least vulnerable.

Communication from Public

Name:

Date Submitted: 04/21/2020 08:58 AM

Council File No: 20-0404

Comments for Public Posting: To not consider every possible protection for renters during this time is frankly a human rights violation. This is something your constituents will be interested in addressing after the crisis is over. At the bare minimum, a moratorium on evictions is necessary to prevent people from being forced to decide between being able to afford food and living on the streets. What we really need is a complete rent and mortgage holiday, without the need for repayment after a number of months. People need relief now! If you aren't able to step up and make these important decisions in such a significant time then I'm not sure why you consider yourselves capable of leadership. We need to enact a REAL eviction moratorium followed by sweeping rent and mortgage relief or these problems will keep piling up at an unreasonable rate.

Communication from Public

Name: Richard Klug
Date Submitted: 04/21/2020 09:05 AM
Council File No: 20-0404
Comments for Public Posting: Wealthy tenants who are paying in excess of \$10,000 per month in luxury rentals will be able to "squat" longer and refuse to pay. You can keep it for people who are poor and in danger of homelessness but these people are just players taking advantage of the situation. The longer you keep the eviction moratorium, the longer the "squat" and drain the owner.

Communication from Public

Name: Michal David

Date Submitted: 04/21/2020 09:18 AM

Council File No: 20-0404

Comments for Public Posting: Landlords are still giving out eviction notices, leaving people vulnerable to exploitation. We need a real blanket moratorium on evictions that protects all tenants. Otherwise, we will emerge from this pandemic with an even greater crisis, one in which more Angelenos are unhoused and vulnerable. Please act now to protect us all!

Communication from Public

Name: Liberato DiBernardo
Date Submitted: 04/21/2020 09:28 AM
Council File No: 20-0404
Comments for Public Posting: STRONGLY OPPOSE!

Communication from Public

Name: Jacob Woocher
Date Submitted: 04/21/2020 09:29 AM
Council File No: 20-0404
Comments for Public Posting: PLEASE SUPPORT. Landlords are really messing with tenants right now who don't know their rights. This is important to help stop that.

Communication from Public

Name: William Friedman

Date Submitted: 04/21/2020 09:30 AM

Council File No: 20-0404

Comments for Public Posting: In this unprecedented health and financial crisis, the city council must prioritize the need for shelter for the city's most vulnerable residents. Therefore, I urge council to support this motion, and provide the tenant protections that renters need to stay sheltered through this emergency.

Communication from Public

Name: Alexander Murray

Date Submitted: 04/21/2020 09:33 AM

Council File No: 20-0404

Comments for Public Posting: I support the measure as we need strong tenant protections during this crisis. How can the city tell people to stay at home, tell them they cannot earn any money, but then expect them to pay their bills? Our city already had a housing affordability crisis before coronavirus, partially due to this council's refusal to allow more housing, the very least you can do is protect tenants from eviction during this pandemic.

Communication from Public

Name: J. Boudreau

Date Submitted: 04/21/2020 09:36 AM

Council File No: 20-0404

Comments for Public Posting: On April 17th it was reported that more than 65% of Los Angeles County employees are out of work. That is a staggering number of people in the city who are no longer able to earn money in light of these numbers, I think it's obvious that for the duration of the pandemic a real eviction moratorium is needed. People are not earning money, and whatever saving people have needs to go to buying food and medical supplies for their families. Everyone is feeling the economic burden of this virus, and we need to do whatever we can to support each other in this time. An eviction moratorium is a simple, incredibly important way to provide that support.

Communication from Public

Name:

Date Submitted: 04/21/2020 09:37 AM

Council File No: 20-0404

Comments for Public Posting: We need protection for renters now! Please vote yes on the eviction moratorium. We cannot let our citizens live on the streets.

Communication from Public

Name: Sasha Plotnikova

Date Submitted: 04/21/2020 09:43 AM

Council File No: 20-0404

Comments for Public Posting: This motion puts forth a bare-minimum, common-sense solution to the existing loopholes in the current eviction moratorium and it's incumbent on the City Council to move forward with it. Tenants are living in fear of eviction come September and October, when the 90-day grace period on evictions has passed. Many more who live paycheck-to-paycheck in a city with sky-high rents, fear eviction when they're unable to come up with several months of back-rent in 12 months. This debt is unjust in the first place, and absolutely cannot be the premise for anybody losing their housing. Meanwhile, landlords are using aggressive harassment and intimidation tactics to lock their tenants into payment plans and threaten them with eviction if they don't use what little money they have to pay rent, many after losing all or some of their income. This pattern of landlord behaviour will only escalate as the economic shutdown creates a further strain on LA's renters and landlords become more desperate to maintain their passive income. We absolutely need a ban on 3-day notices, as well as STRONG financial and legal penalties for landlords who harass and lie to their tenants, *especially* during this crisis. A "no" vote is a slap in the face to the over 64% of Angelenos who do not own property and were already in crisis before this pandemic hit.

Communication from Public

Name: Taylor Fulton

Date Submitted: 04/21/2020 09:44 AM

Council File No: 20-0404

Comments for Public Posting: I'm writing as part of the Healthy LA coalition because I'm worried that this health crisis will also become a long-term eviction and economic crisis, leaving me (or our most vulnerable community members) jobless, with lots of debt, and at risk of becoming homeless. Therefore, I urge Councilmember Ryu to: 1. Pass a complete eviction moratorium that keeps me safe in my home 2. Make sure mortgage relief is tied to relief for renters so that tenants don't accumulate rent debt 3. Pass a right of recall to ensure workers are rehired when the health emergency ends 4. Bring back measures to council to protect unhoused people.

Communication from Public

Name: CD4 Mom & Pop Landlord

Date Submitted: 04/21/2020 10:34 AM

Council File No: 20-0404

Comments for Public Posting: As a small mom and pop landlord of an RSO property in CD4, I oppose expanding eviction protection for tenants. Tenants households received an average of \$3,400 of emergency relief AND are also receiving FULL pay through unemployment currently. Additional protections for tenants are NOT required at this time because households ARE ABLE to pay rent due to the federal stimulus and existing state UI benefits. MORE needs to be done to SUPPORT landlords including RENT REIMBURSEMENTS from loss rent as a result of the emergency COVID-19 actions to protect tenants.

Communication from Public

Name: Rusteen Honardoost

Date Submitted: 04/21/2020 10:20 AM

Council File No: 20-0404

Comments for Public Posting: Los Angeles needs a real eviction moratorium so that renters are not forced out on the street by greedy landlords. With only 45% of the city employed during this crisis, you need to act NOW before 5/1 rent comes due.

Communication from Public

Name: GAYE E SMITH
Date Submitted: 04/21/2020 10:25 AM
Council File No: 20-0404
Comments for Public Posting: Support a mortgage eviction moratorium

Communication from Public

Name: Chris Brady-Denton

Date Submitted: 04/21/2020 10:25 AM

Council File No: 20-0404

Comments for Public Posting: For the love of god please put a halt on all evictions, freeze and forgive all rent and mortgages, and stop all utility shut offs. Everyone's concerned for those who own small businesses and property but don't care about those who own nothing. There are so many tenants suffering right now, show them their voices are heard.

Communication from Public

Name: Noah Nelson

Date Submitted: 04/21/2020 10:06 AM

Council File No: 20-0404

Comments for Public Posting: With less than half of LA County still having a job (LA Times, April 17, 2020) in this current crisis we need the council to act now to ban all evictions in the city: residential and commercial alike. The alternative will create a public health crisis and hobble any chance of economic recovery once the pandemic has passed. In truth we need more: rent cancelation and Federal relief funds for property owners who will lose revenue in this time, but a proper prohibition on all evictions, lockouts, and utility shutoffs is a necessary first step. Please, do not let our city's people suffer more than already have.

Communication from Public

Name: Eva Charney
Date Submitted: 04/21/2020 08:14 PM
Council File No: 20-0404
Comments for Public Posting: Please protect our citizens from eviction during this medical crisis.

Communication from Public

Name:

Date Submitted: 04/21/2020 07:34 PM

Council File No: 20-0404

Comments for Public Posting: A true eviction moratorium is necessary to protect the most vulnerable from the worst effects of the pandemic. Housing should always be a right and LA must do its part to repair the grave inequality which has been exacerbated by COVID-19.

Communication from Public

Name: Edna Monroy

Date Submitted: 04/21/2020 07:44 PM

Council File No: 20-0404

Comments for Public Posting: We need a real eviction moratorium on ALL evictions. As we continue to see a growth in economic disparities and displacement, corporate greed continues to find new ways to evict tenants. We need to protect all tenants to stay in their homes, and not in the streets.

Communication from Public

Name: Erin Thompson
Date Submitted: 04/21/2020 07:47 PM
Council File No: 20-0404
Comments for Public Posting: Landlords are still giving out eviction notices, leaving people vulnerable to exploitation. We need a real blanket moratorium on evictions that protects all tenants.

Communication from Public

Name: Robert Chlala

Date Submitted: 04/21/2020 07:48 PM

Council File No: 20-0404

Comments for Public Posting: Thank you for your continued leadership in this time of crisis. As a resident of the 13th district and lifetime Angeleno, I have seen some challenging times in this city, and my family has in times like the early 1990s and 2008 recession found themselves on the street or in unsafe housing conditions, fearful to speak up. Sadly, those moments of crisis were met with little pity from landlords, and families like mine held their tongue against a lack of repairs to basics like for fear of ending up back on the street - and many of us did end up there regardless. An eviction moratorium is more than just about stopping landlords from removing vulnerable tenants who are being hard-hit by the crisis - it's also to ensure that renters feel protected enough to speak up in unsafe conditions, for unfair rent collection practices, and more, including fake "repayment plans" and other schemes popping up. (Not all landlords are prone to this, of course, but many may also be feeling desperate.) Families with children already living with the constant threat of poverty or being unhoused are especially vulnerable. The problems we have faced as a City prior - like renters' vulnerability - are now magnified many, many times. But the good news is, with your courageous leadership, we can shift course from the past and make our city a model for taking care of each and every person. Please, support a full and comprehensive eviction moratorium outlined in this bill.

Communication from Public

Name:

Date Submitted: 04/21/2020 05:57 PM

Council File No: 20-0404

Comments for Public Posting: Landlords are still giving out eviction notices, leaving people vulnerable to exploitation. We need a real blanket moratorium on evictions that protects all tenants.

Communication from Public

Name: Samantha Honowitz

Date Submitted: 04/21/2020 08:22 PM

Council File No: 20-0404

Comments for Public Posting: Landlords are still giving out eviction notices, leaving people vulnerable to exploitation. We need a real blanket moratorium on evictions that protects all tenants.

Communication from Public

Name: Claire Hamlin

Date Submitted: 04/21/2020 08:28 PM

Council File No: 20-0404

Comments for Public Posting: I stand with Healthy LA & urge City Council (and specifically my District 13 Councilmember Mitch O'Farrell) to: 1. Pass a complete eviction moratorium that keeps me safe in my home 2. Make sure mortgage relief is tied to relief for renters so that tenants don't accumulate rent debt 3. Pass a right of recall to ensure workers are rehired when the health emergency ends 4. Bring back measures to council to protect unhoused people. Almost 1/3 of renters nationwide were unable to pay rent for April. I was one of them. As a direct result of the council's failure to meet the moment & enact rent relief in the wake of a city-wide shutdown, I was put in the impossible position of having all of my sources of income completely cut off in mid-March, and still expected to deliver rent on April 1st. I've never missed a rent payment in my entire history, but due to the shutdown I lost multiple lines of work & was not able to pay rent on April 1st. I will not be able to pay rent on May 1st either. That leaves me with \$2100 in back rent that I cannot afford!! Allowing back rent to accrue & simply extending the window to repay it is not feasible. Tenants CANNOT afford new debt while also unemployed & navigating an economic crisis entirely outside of our control. Pushing this debt into the future does not alleviate the crisis, it simply postpones it. Here in Los Angeles, we are cut off from our lines of work & have been since mid-March. While I deeply appreciate the City taking swift & decisive action to shut business down & impose social distancing in the face of COVID-19, these actions are negligent & inherently dangerous when taken without simultaneously enacting programs & protections to relieve Angelenos of the financial burdens this shutdown has forcibly prevented them from being able to meet. Existing support programs are entirely overwhelmed. CA's unemployment office was inundated with more claims in a 4 week period than received all of last year. 3 of my housemates & I all lost our (multiple!) jobs by the end of March. Only 1 of us had a successful application for UI & is currently receiving benefits. 3 of us are unemployed, unsupported, and unable to pursue or secure benefits. One roommate fails to qualify because she was not a W-2 employee & must wait till April 28th to apply for PUA. The other roommate qualified but due to internal error has been receiving a benefit amount of \$0. He has been trying to call the

EDD office since late March to resolve this. He's reached out to local & state levels for help & pursued multiple avenues to try & make contact. As of today, he has placed hundreds of calls & even with Newsom allocating more workers to EDD & extending hours, he still cannot get through to resolve this issue. Though I lost thousands in income due to cancelled projects, as a gig worker, I also was not eligible for traditional unemployment benefits. I will have to wait until April 28, over 5 WEEKS since losing my jobs, to begin to apply for PUA. I have not yet received my one-time stimulus check. Even if I had, \$1050 of the \$1200 would immediately get eaten by one month of rent, leaving me with \$150 to pay for all other food, utility, & medical expenses for the indefinite future. I forwarded my notice of inability to pay rent to Mitch O'Farrell in April & I will have to do so again on May 1st when I notify my landlords that once again I cannot make payment due to COVID-19. This inability to pay leaves me vulnerable to eviction. Landlords are still giving out eviction notices, leaving people vulnerable to exploitation. We need a real blanket moratorium on evictions that protects all tenants. Please pass this motion to ensure & greatly strengthen eviction protections with a blanket moratorium.

Communication from Public

Name: Calvin Gibbon
Date Submitted: 04/21/2020 08:37 PM
Council File No: 20-0404
Comments for Public Posting: We must stop the punishment of low income families and hardworking citizens affected by this global crisis. Stop evictions, lockouts, utility stoppages now! Thank you!

Communication from Public

Name: Aaron Temin

Date Submitted: 04/21/2020 08:43 PM

Council File No: 20-0404

Comments for Public Posting: Please pass a blanket moratorium on evictions. We are trying to get people off the streets, not put them on the streets. I am led to believe that landlords are still giving out eviction notices. We need to give people every incentive to stay home for now, and to have a home to stay in. Thank you.

Communication from Public

Name: Carole Keligian
Date Submitted: 04/21/2020 08:50 PM
Council File No: 20-0404
Comments for Public Posting: If some tenants aren't paying rent and I can't evict them in order to find tenants that will pay rent, the reduced income will affect the health and safety of my other tenants. If my income drops even 25%, there won't be money for the landscaper. So the grass will die and the shit that the homeless leave on my property will just stay there. I won't be able to hire someone to replace burnt-out light bulbs or fix the locks on the gates, which are constantly being broken. Graffiti will just have to stay on the building. The income on rent-controlled buildings is so low that it's already difficult to maintain them in top condition. When that income drops even lower, with no recourse allowed to the owner, not only does the owner lose income that he needs to live on, the tenants who are continuing to pay rent will have to deal with sub-optimal conditions. Is that fair to them? If I have to cut back on maintenance, I will let my tenants know that the money isn't there because other tenants are living rent free, courtesy of the LA City Council.

Communication from Public

Name:

Date Submitted: 04/21/2020 11:41 PM

Council File No: 20-0404

Comments for Public Posting: Please vote against this proposal. It expands the proposal that was already instituted by the Judicial Council by prohibiting owners from even serving a notice of tenancy termination, which is essential to preserve an owner's rights. Please remember that rental property owners are suffering during this pandemic and such policies must consider their rights as well. Thank you.

Communication from Public

Name:

Date Submitted: 04/21/2020 11:34 PM

Council File No: 20-0404

Comments for Public Posting: I am writing on behalf of the Healthy LA Coalition, as a currently-sheltered parent and educator who is recovering from COVID-19 with my family, in urgent SUPPORT of this motion. Many neighbors in my district have encountered unscrupulous landlords and property managers using manipulative correspondence to coerce rent under duress. These experiences have justified community members' fears that so-called renter protections introduced by local council up to this point have ahistorically assumed the landlord's casual altruism, while anticipating – in racist, sexist, classist, ableist, and ageist ways – the tenant's hedonistic neglect. An unqualified and entirely less onerous ordinance that takes into account the grim implications of sudden, mass unemployment for our already rent-burdened tenant majority is a nominal but necessary step away from a lethal trend of displacement and hardship that continues to imperil and disappear our most at-risk, unhoused neighbors.

Communication from Public

Name: Doug Smith

Date Submitted: 04/21/2020 11:00 PM

Council File No: 20-0404

Comments for Public Posting: Dear Councilmembers, On behalf of Public Counsel, Inner City Law Center, HEART LA, the Public Interest Law Project, and Eviction Defense Network, please see the attached letter with legal analysis concerning three motions on the agenda for tomorrow's meeting: (1) a full eviction moratorium (agenda item 39, CF 20-0404); (2) unpaid rent (agenda item 38 CF 20-0409); and (3) a rent freeze (agenda item 37 CF 20-0407). We urge you to adopt these motions and advance these policies to help millions of Angelenos endure this unimaginable public health emergency with stable housing. Thank you for your careful attention to these issues and all your work to keep LA as safe as possible during this crisis. Sincerely, Doug Smith Public Counsel

April 21, 2020

Honorable Members of the City Council
Los Angeles City Hall
200 N. Spring Street
Los Angeles, CA 90012

Re: Legal Analysis of Proposed Renter Protections in Council Files 20-0404, 20-0409, 20-0407

Dear Honorable Council Members:

The undersigned public interest and civil rights law firms write in support of several motions that will be considered by the Los Angeles City Council on April 22, 2020, including agenda item number 37 (CF 20-0407) relative to a rent freeze; agenda item number 38 (CF 20-0409) relative to clarifying that unpaid rent is not subject to the unlawful detainer process; and agenda item number 39 (CF 20-0404) relative to prohibiting the termination of a tenancy during the State of Emergency.

This current public health crisis is the worst we have seen in a century. More than 40,000 people have died across the country, including over 600 in Los Angeles County, and the toll will continue to rise in the coming weeks.¹ Due to the strict but necessary Safe at Home orders, businesses have shut down or drastically scaled back across the city, causing massive worker layoffs. According to recent estimates, less than half of Los Angeles County residents are still employed.² The impact of these layoffs is that millions of Angelenos are wondering how they are going to afford rent and put food on the table. And the crisis is disproportionately affecting Black and Brown communities, reflecting entrenched structural and economic inequalities.³

As public interest law firms serving the most vulnerable residents in Los Angeles County, we are seeing firsthand these devastating impacts of COVID-19. As housing lawyers, we are working around the clock to provide direct services and advocacy support in the midst of this terrible confluence of a catastrophic public health disaster and a worsening crisis of housing instability and homelessness. The simple fact is that Angelenos are only safer at home if they can stay in their homes. While the Mayor and City Council adopted important protections over the last several weeks, the current policies still have substantial gaps that need to be addressed. Our organizations continue to be inundated with calls from tenants who are receiving eviction notices, being locked out of their homes, being intimidated or harassed, being asked to sign forms and produce documents with personal information, or are generally confused about their rights under the existing patchwork of new laws. Tens of thousands more, who are unable to access legal services, are enduring the same conditions.

This crisis demands bold actions from our leaders. In reference to the sweeping emergency rules adopted by the Judicial Council on April 6th, Chief Justice Tani Cantil-Sakauye wrote: “We are at this point truly with no guidance in history, law, or precedent. And to say that there is no playbook is a gross

¹ “Novel Coronavirus in Los Angeles County,” County of Los Angeles Public Health, last updated April 20, 2020, <http://publichealth.lacounty.gov/media/Coronavirus/locations.htm>.

² “Less than half of L.A. County residents still have jobs amid coronavirus crisis,” Jaelyn Cosgrove, Los Angeles Times April, 17, 2020, <https://www.latimes.com/california/story/2020-04-17/usc-coronavirus-survey>.

³ “‘A crisis within a crisis’: Black Americans face higher rates of coronavirus deaths,” Jenny Jarvie and Molly Hennessy-Fiske, Los Angeles Times, April 7, 2020, <https://www.latimes.com/world-nation/story/2020-04-07/a-crisis-within-a-crisis-black-americans-face-higher-rates-of-coronavirus-deaths>.

understatement of the situation.”⁴ As the Judicial Council did in exercising its powers over the courts, so too the City of Los Angeles must exercise its police powers to the fullest extent and take the courageous steps necessary to keep people housed during the crisis.

I. The City Council should approve item 39 (CF 20-0404) because a complete eviction moratorium is lawful and necessary in this moment.

A. The City’s current eviction ordinance does not prevent all evictions, leaving thousands of Angelenos now at risk of displacement and homelessness.

We applaud the Mayor and City Council for taking action to enact Ordinance 186585 to protect tenants against certain types of eviction during this emergency. But more is needed. The City’s current eviction ordinance does not do enough to discourage the initiation of the eviction process, which sows doubt and confusion leading to renters being harassed and intimidated into leaving their homes. The ordinance also fails to provide any protections against certain types of evictions.

In Los Angeles, tenants are very often displaced from their homes even before an unlawful detainer action is filed. Waiting for eviction proceedings to begin can severely compromise a tenant’s ability to rent another home. Furthermore, many tenants are unaware of their rights, and have little access to legal aid services, especially in the middle of a pandemic. This is why many of the undersigned organizations have vigorously supported a Right to Counsel. Right now, we are far from guaranteeing every tenant access to legal counsel, and if we wait until a court proceeding is initiated, countless tenants will be displaced. By imposing onerous requirements that tenants must prove that nonpayment of rent is due to COVID-19 -- a burden that disproportionately harms immigrant, gig-economy, and informal sector workers – the City has established a confusing and overly technical framework. Unsurprisingly, in the days after this requirement was adopted, our organizations fielded numerous calls and the media reported on widespread examples of tenants being directed to sign documents and provide personal information that is not legally required in order to avoid eviction. Our clients are still receiving eviction notices after the City’s ordinance was adopted, as some landlords are already setting the stage for eviction proceedings as soon as the courts open back up. Other clients are enduring illegal lockouts and other intimidation tactics. If the City Council fails to strengthen the current incomplete framework, renters will only face more confusion, harassment, and intimidation in the midst of an already unimaginable public health threat, which will only increase the risk of displacement and homelessness during and after the emergency.

In addition to the displacement risks stemming from the confusing and incomplete non-payment standards, there are still many grounds for eviction that are simply not covered by the current ordinance. For example, a low-income and undocumented immigrant street vendor may not be able to provide the formal documentation necessary to show a loss of income directly related to the pandemic, even though the City has requested increased enforcement to shut down their business and they are unable to access federal relief programs. Should this person be evicted right now? A worker who is fortunate enough to still be employed may install desk and shelving for a work-from-home station that violates a lease term concerning unapproved decorating or construction. Should this person be evicted right now?

The current eviction ordinance was an important first step, but it is time to eliminate the confusion and close the gaps. Los Angeles renters need the simple yet comprehensive prohibition on evictions proposed under CF 20-0404.

⁴ California Courts, Judicial Council News Release: *Judicial Council Adopts New Rules to Lower Jail Population, Suspend Evictions and Foreclosures*. April 6, 2020, <https://newsroom.courts.ca.gov/news/judicial-council-adopts-new-rules-to-lower-jail-population-suspend-evictions-and-foreclosures>.

B. The City has the authority under its police power to enact a broad eviction moratorium.

The City has the power to take greater action to protect tenants under both its police powers and emergency powers. The California Constitution sets forth the City’s broad police powers by stating “[a] county or city may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws.”⁵ Legislative enactments analyzed for validity under the police power must be reasonably related to a “legitimate governmental purpose, and [courts must avoid] confus[ing] reasonableness in this context with wisdom.”⁶ Ordinances enacted pursuant to the police powers must be upheld unless there is a “complete absence of even a debatable rational basis” that the ordinance serves as “a reasonable means of counteracting harms and dangers to the public health and welfare emanating from a housing shortage.”⁷

While some might suggest that the power to regulate eviction is reserved to the state eviction statutes, all cities and counties, pursuant to their police power, have the authority to create “substantive limitations on otherwise available grounds for eviction,” provided such limitations are not procedural in nature and “do not alter the Evidence Code burdens of proof.”⁸ Substantive regulation on the grounds for eviction include limiting the causes of action available to landlords to use as grounds for evicting tenants and have been consistently upheld over the past several decades.⁹ Courts have distinguished permissible substantive limitations from impermissible procedural limitations outside the context of a public health emergency. The Motion under File No. 20-0404 directs the City Attorney to prepare an ordinance that would affect substantive limitations on the grounds of eviction, as authorized by the police power, and procedural limitations on eviction, such as prohibiting the issuance of notices and filing of unlawful detainer actions that the City’s emergency powers authorize in these dire circumstances.¹⁰ The Mayor has already invoked his emergency authority to temporarily suspend no-fault evictions if occupants were “ill, in isolation, or under quarantine,” and Ellis Act evictions of occupied rental units. The Mayor’s Public Order included a ban on the issuance of eviction notices and the filing of unlawful detainers on the these grounds.¹¹

⁵ Cal. Const. at XI, section 7.

⁶ *Birkenfeld v. City of Berkeley* (1976) 17 Cal.3d 129, 159.

⁷ *Id.* at 161.

⁸ *Rental Housing Assn. of Northern Alameda County v. City of Oakland* (2009) 171 Cal. App. 4th 741, 755, 763, citing *Birkenfeld v. City of Berkeley* (1976) 17 Cal.3d 129, 147-149. In *Birkenfeld*, the court held that the City of Berkeley’s ordinance requiring landlords to obtain a certificate of eviction before filing an unlawful detainer was an impermissible procedural barrier, calling the process full of “elaborate prerequisites.” *Id.* at 161. The court held that state law governing unlawful detainer procedures “fully occupy the field of landlord’s possessory remedies,” and therefore preempted the City’s requirement for a certificate of eviction.

⁹ In *Roble Vista Associates v. Bacon*, the court upheld a city ordinance that (1) required landlords to offer tenants one-year leases at a fixed rental rate during the lease term and (2) provided an affirmative defense to tenants in unlawful detainer actions if their landlords failed to do so. (2002) 97 Cal.App.4th 335, 337-38, 342. Similarly, in *Rental Housing Assn. of Northern Alameda County v. City of Oakland*, the court upheld certain portions of a local ordinance that required landlords seeking to recover their units to “act in good faith” and imposed other substantive requirements to substantiate certain causes of action for an unlawful detainer action. (2009) 171 Cal.App.4th 741, 754. These provisions of the ordinance were not preempted by the state unlawful detainer statutes. *Id.* at 759, 764-765.

¹⁰ Cal. Gov. Code § 8634.

¹¹ See “Mayor Garcetti orders new restrictions on evictions, announces indefinite moratorium on water and power shutoffs in fight against COVID-19,” City of Los Angeles, March 23, 2020, <https://www.lamayor.org/mayor-garcetti-orders-new-restrictions-evictions-announces-indefinite-moratorium-water-and-power>.

Furthermore, courts have upheld ordinances that have incidental procedural impacts. In *San Francisco Apartment Assn. v. City and County of San Francisco*, the court held that unlawful detainer statutes did not preempt a local ordinance that imposed a delay on evicting families and educators on no-fault grounds.¹² The court found that the ordinance imposed a “procedural impact, limiting the timing of certain evictions.”¹³ The procedural impact was “necessary to ‘regulate the substantive grounds’” of no-fault evictions in order to protect children from displacement during the school year.¹⁴ Furthermore, the ordinance was not a procedural limitation on the grounds for eviction because it “[did] not require landlords to provide written notice or to do any other affirmative act.”¹⁵ The court concluded that the ordinance created a “permissible ‘limitation upon the landlord’s property rights under the police power,’ rather than an impermissible infringement on the landlord’s unlawful detainer remedy” under state law.¹⁶ Here, a temporary eviction moratorium removing substantive bases for eviction clearly fits within the category of substantive regulation reserved for the local jurisdiction to regulate.

The City has a significant governmental interest in ensuring housing security and stability and preventing widespread homelessness that will result from evictions that are processed once the emergency orders are lifted, which will create a secondary public health emergency in a city that already has the worst unsheltered crisis and affordable housing crisis in the country. The temporary eviction moratorium proposed under CF 20-0404 is unquestionably related to, and indeed necessary to achieve this important purpose. Such action, taken during the course of a historic pandemic, is unquestionably a reasonable exercise of the City’s police powers, which the courts will grant great deference to. Additionally, as set forth below, the actions are neither preempted nor unconstitutional.

C. The City is authorized to enact an eviction moratorium by the California Emergency Services Act.

During a declared state of emergency, the California Emergency Services Act (CESA) authorizes the City Council to “promulgate orders and regulations necessary to provide for the protection of life and property”¹⁷ which here includes remaining in existing homes pursuant to shelter in place orders by state and local entities. On March 19, Governor Newsom issued Executive Order N-33-20, which authorized and concurrently included an order from the State Public Health Officer, requiring “all individuals living in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations.” The Governor’s subsequent Executive Order N-37-20 directly links the need to minimize evictions in order to comply with the stay at home directive in the March 19 Order.¹⁸

On March 4, the Mayor declared a local state of emergency in the City, which has been approved by the City Council.¹⁹ As such, the CESA authorizes the City Council to take action to enact orders necessary to provide for the protection of life and property, which will unquestionably be furthered by an eviction moratorium. The CESA requires that the governing body, in this case the City Council, to review the ongoing need to continue the local emergency at least once every 60 days until it terminates

¹² (2018) 20 Cal.App.5th 510, 513.

¹³ *Id.* at 510, 518.

¹⁴ *Id.* at 518.

¹⁵ *Id.*

¹⁶ *Id.* at 518-19, citing *Birkenfeld*, 17 Cal. 3d at 149.

¹⁷ Cal. Gov. Code § 8634.

¹⁸ Cal Exec. Order No. N-37-20 (March 27, 2020), available at: <https://www.gov.ca.gov/wp-content/uploads/2020/03/3.27.20-EO-N-37-20.pdf>.

¹⁹ City of Los Angeles, Office of the Mayor. Declaration of Local Emergency, March 4, 2020. Accessible at: http://clkrep.lacity.org/onlinedocs/2020/20-0291_reso_03-04-2020.pdf.

the emergency.²⁰ The City Council should exercise its authority to take local measures authorized by state law to effectuate the stay at home orders to ensure public safety.

D. A broad eviction moratorium is supported by the Governor’s Executive Orders suspending any state law that could preempt the local effort, and is not otherwise preempted by existing state law.

Although a city’s police power is broad, it cannot conflict with the general laws of the State of California. A conflict exists between a local ordinance and state law if the ordinance “duplicates, contradicts, or enters an area fully occupied by general law, either expressly or by legislative implication.”²¹ However, when a city or county “...regulates in an area over which it traditionally has exercised control ... California courts will presume, absent a clear indication of preemptive intent from the Legislature, that such regulation is *not* preempted by state statute.”²²

In enacting Executive Order N-28-20 on March 16, 2020, the Governor explicitly suspended “[a]ny provision of state law that would preempt or otherwise restrict a local government’s exercise of its police power to impose substantive limitations on residential or commercial evictions.”²³ This Executive Order provides explicit authority to enact a broad eviction moratorium. Moreover, the Governor’s Business, Consumer Services and Housing Agency published guidance for city and county governments that explicitly says: “Nor does the Executive Order prohibit a city or county from imposing an absolute limitation on all evictions.”²⁴

Consistent with this Order, the City has already adopted an ordinance *that goes beyond the provisions of the Governor’s order*. Several other cities across California have likewise adopted local ordinances that go further than the Governor’s order, including Oakland, which has adopted a complete eviction moratorium. Even the California Apartment Association does not dispute the ability of a local city to adopt an ordinance that goes further than the Governor’s order, plainly stating, “The Governor’s Order does not preempt local eviction moratoria.”²⁵

Beyond the clear legislative intent, there is also no conflict preemption. Under a conflict preemption analysis, the question is whether it is possible for a person to follow both laws at the same time. The Governor’s order is limited to non-payment of rent related to COVID-19. So expanding LA’s ordinance would involve covering other non-payment grounds for eviction and nonpayment eviction that is not proven to be related to COVID-19. Since the Order doesn’t expressly regulate these, and there is intent not to preempt the field, then these would be additional protections at the local level but landlords and tenants could still follow both the Governor’s order and the new Los Angeles provisions, so there is no conflict preemption.

While the Governor’s first Executive Order explicitly removes preemption concerns for the limited types of evictions in the Order, the City may still use its full police powers to go farther than the

²⁰ Cal. Gov. Code § 8630(c).

²¹ See *Viacom Outdoor Inc. v. City of Arcata* (2006) 140 Cal.App.4th 230, 236.

²² See *San Francisco Apartment Assn. v. City and County of San Francisco* (2018) 20 Cal.App.5th 510, 515..

²³ Cal. Exec. Order No. N-28-20 (Mar. 16, 2020), available at:

<https://www.gov.ca.gov/wpcontent/uploads/2020/03/3.16.20-Executive-Order.pdf>.

²⁴ *State of California, Business Consumer Services and Housing Agency. Guidance and Frequently Asked Questions on Residential and Commercial Eviction Limitations and Moratoriums During the COVID-19 Pandemic*, pg. 6, published April 7, 2020.

²⁵ California Apartment Association Industry Insights, “Frequently Asked Questions: Governor Newsom’s Executive Orders on Evictions During the COVID-19 Pandemic,” California Apartment Association, revised April 2020, available at <https://caanet.org/kb/download/58804.kbd>.

EO for other types of evictions. Put another way, the silence on other types of evictions does not implicitly mean the City is preempted from regulating them. The City is only preempted if there were to be conflict with state law. The City can both comply with the Executive Order and go farther than the executive Order so long as there isn't a conflict. Because state law grants local jurisdictions the authority to regulate the substantive grounds for eviction,²⁶ no such conflict exists.

E. A broad eviction moratorium is not unconstitutional under the Takings Clause.

The proposed temporary eviction moratorium would not rise to the level of a “taking” under longstanding case law. Both the United States Constitution and the California Constitution prohibit the taking of private property for public use without just compensation.²⁷ The Takings Clause of the California Constitution is generally interpreted congruently with the Takings Clause of the Fifth Amendment.²⁸

The government's regulation of private property will constitute a taking of such property only if it is “so onerous that its effect is tantamount to a direct appropriation or ouster.”²⁹ Such “regulatory takings” will constitute “per se” takings requiring compensation only if they either (i) result in a permanent physical invasion of property or (ii) deprive a property owner of all economically beneficial or productive use of the property in question.³⁰ Otherwise, government regulation that does not result in a “per se” taking *may* still constitute a taking, but only if it is found to be “functionally equivalent” to a direct appropriation or ouster under the “essentially ad hoc” fact-specific inquiry described in the *Penn Central* case.³¹

Because the proposed measure would neither result in a permanent physical invasion of property nor in a complete deprivation of economic use of the property in question, it should be analyzed under the *Penn Central* standard. The *Penn Central* inquiry focuses on two primary factors: (i) the economic impact of the regulation on the property's owner and (ii) the investment-backed expectations of the owner. This inquiry also takes into account the character of the government action – a taking is more likely to be found when the regulation can be characterized as a “physical invasion by government” as opposed to “a public program adjusting the benefits and burdens of economic life to promote the common good.”³² In analyzing whether a taking has occurred, the court does not analyze whether the owner's rights in one particular segment of the property have been abrogated, but rather focuses on “the nature and extent of the interference with rights in the parcel as a whole.”³³

The threshold for a taking under the *Penn Central* analysis is high. In applying the *Penn Central* factors, the Ninth Circuit Court of Appeals has observed that “diminution in property value because of governmental regulation ranging from 75% to 92.5% does not constitute a taking” and that it is not aware

²⁶ See *Fisher v. City of Berkeley* (1984) 37 Cal. 3d 644, 707 (holding that a city may regulate the substantive grounds of eviction, even to the point of “effectively eliminat[ing]” a ground for eviction in state law.) See also *Birkenfeld v. City of Berkeley* (1976) 17 Cal. 3d 129, 148-149.

²⁷ U.S. Const., amend. 5, 14; Cal. Const., art. I, § 19(a).

²⁸ *San Remo Hotel v. City and County of San Francisco* (2002) 27 Cal.4th 643, 664.

²⁹ *Lingle v. Chevron U.S.A. Inc.*, 544 U.S. 528, 537 (2005).

³⁰ *Lucas v. S.C. Coastal Council* 505 U.S. 1003, 1015-17 (1992). A third category, not applicable here, involves a land-use exaction, where the government conditions the issuance of a development permit on a landowner's dedication of an easement on the property allowing for public use. *Lingle* at 546-548; See also *Nollan v. California Coastal Comm'n*, 483 U.S. 825 (1987) and *Dolan v. City of Tigard*, 512 U.S. 374 (1994).

³¹ *Penn Cent. Transp. Co. v. New York City*, 438 U.S. 104, 124 (1978); *Lingle* at 538; *Kavanau v. Santa Monica Rent Control Bd.*, 16 Cal.4th 761, 774 (1997).

³² *Penn Central* at 124; *Lingle* at 538-39 (2005).

³³ *Tahoe-Sierra Pres. Council v. Tahoe Reg'l Planning Agency*, 535 U.S. 302, 327 (2002).

of any case in which a court has found a taking where diminution in value of the property in question was less than 50%.³⁴ Moreover, a loss of profits due to a restriction on the use of the property – unaccompanied by a physical property restriction -- is generally viewed as a weak basis for a takings claim.³⁵ As the Supreme Court noted in *Andrus v. Allard*, “[G]overnment regulation -- by definition -- involves the adjustment of rights for the public good” and that although such adjustments often limit in some way the economic exploitation of private property “[t]o require compensation in all such circumstances would effectively compel the government to regulate by purchase.”³⁶

A full eviction moratorium would not constitute a taking under a *Penn Central* analysis because of its limited impact on the overall values of the affected properties, its time-limited nature, and its similarity to existing measures. The eviction moratorium would simply extend the existing City of Los Angeles renter protection ordinance banning the eviction of tenants for COVID-19-related nonpayment of rent to include all tenants for the duration of the declared emergency plus 30 days. This temporary eviction moratorium should not have any long-term economic impact on the value of rental properties and would not defeat the investment-backed expectations of landlords, who are already subject to numerous limitations on the right to evict. Moreover, the character of the government action is precisely that of the “public program adjusting the burdens of economic life to promote the common good” that *Penn Central* explicitly states is unlikely to support the finding of a taking.

F. A temporary eviction moratorium is not unconstitutional under the Contracts Clause.

A temporary moratorium is also not an unconstitutional interference with existing contracts. The Contracts Clause of the Constitution prohibits only “a substantial impairment of a contractual relationship.”³⁷ Even a substantial impairment may be upheld if the state has a “significant and legitimate public purpose behind the regulation.”³⁸ Courts also assess whether the adjustment of the parties’ rights is reasonable and “appropriate to the public purpose” of the regulation but generally defer to state legislatures in making those determinations.³⁹ Since the end of the *Lochner* era, the Contract Clause has not been “read as a serious impediment to state social and economic legislation affecting private contracts.”⁴⁰

In determining whether a regulation constitutes a substantial impairment, “whether the industry the complaining party has entered has been regulated in the past” is an important consideration in determining whether a law operates as a substantial impairment of a contractual relationship. Because “the landlord-tenant relationship is, if nothing else, heavily regulated,” new laws regulating that relationship are subject to less scrutiny.⁴¹ Landlords have come to expect that the state legislature and local governments will enact laws that will affect their contractual relationship with tenants. In this case, in response to the COVID-19 pandemic, many policies have been adopted – between the Mayor’s Executive Orders, the City’s adopted existing tenant protection ordinances, the multiple executive orders

³⁴ *Colony Cove Props., LLC v. City of Carson*, 888 F.3d 445, 451 (9th Cir. 2018).

³⁵ *Andrus v. Allard*, 444 U.S. 51, 66 (1979).

³⁶ *Andrus* at 65.

³⁷ *Energy Reserves Group, Inc. v. Kansas Power and Light Co.*, 459 U.S. 400, 411 (1983).

³⁸ *Id.*; *United States Trust Co. v. New Jersey*, 431 U.S. 1 (1977) (holding that the elimination of unforeseen windfall profits is a legitimate state interest).

³⁹ *Id.* at 412.

⁴⁰ *Troy Ltd. v. Renna*, 727 F.2d 287, 295 (3d Cir. 1984) (citing *Home Bldg. & Loan Ass’n v. Blaisdell*, 290 U.S. 398 (1934) (holding two-year state moratorium on foreclosure of mortgages did not violate Contract Clause)).

⁴¹ *Id.* at 297-98 (holding law that “simply enlarge[d] the terms of a statutory tenancy” was not substantial impairment of contractual relationship).

from the Governor, and Judicial Council Order – that have significantly changed the terms of the contractual relationship landlords have with their tenants.

Additionally, emergency conditions giving rise to state regulation and the temporary nature of the proposed regulation cautions against finding a substantial impairment. In *Home Building & Loan Association v. Blaisdell*, the Supreme Court held that a two-year state moratorium on foreclosure of mortgages during the Great Depression did not violate the Contract Clause.⁴²

Finally, it is important to emphasize, the City has already affected existing lease agreements when it enacted the most recent emergency eviction ordinance, but those actions did not rise to the level of a Contracts Clause violation due to the extraordinary governmental interest involved. The proposal under CF 20-0407 is no different. Expansion of the existing policy similarly does not raise Contract Clause concerns, as the same underlying governmental interest would support the expansion.⁴³

G. Several other jurisdictions have enacted significantly stronger measures than what is currently in place for the city of Los Angeles.

Although Los Angeles has acted quickly, it has now fallen behind many other cities in terms of the breadth and depth of its emergency eviction protections. Several cities and counties across the state of California have already moved quickly and decisively to protect their residents by enacting the types of strong provisions proposed under CF 20-0404. Some jurisdictions, like Santa Monica and San Mateo County, have prohibited landlords from attempting to evict tenants by serving notices to vacate or proceeding with the unlawful detainer process. In these jurisdictions, officials have proactively prohibited actions to *start* unlawful detainer proceedings, instead of just providing a tenant a defense they can assert in a court proceeding. Other jurisdictions, like Oakland, have provided a complete affirmative defense for tenants who are served an unlawful detainer lawsuit, covering nearly all grounds for eviction, absent a public health necessity.

H. Prejudicial assumptions about tenant behavior have no place in the discussion on housing stability during a deadly global pandemic.

Any references to tenant behavior and activity are not relevant to the question of temporarily preventing evictions. Evictions are never the only recourse against illegal behavior, and the theoretical possibility of illegal behavior, for which other enforcement avenues remain open, is not a good reason to risk countless people losing their home during a health emergency, or during the crucial economic rebuilding period right after the health emergency ends. There is nothing in the proposed policy (CF 20-0404) preventing the enforcement of other generally applicable laws, but the policy does offer what is most needed right now - greater housing stability at a time when that has never been more important.

I. The City should ensure that there are penalties for violation of the eviction moratorium.

A violation of the city’s eviction moratorium does not just put one household’s housing at risk. It can have serious public health implications if households are forced out of their homes and are unable to shelter in place. Therefore, the City should act to deter violations of the moratorium by:

⁴² 290 U.S. 398, 447-48 (1934).

⁴³ See *West Coast Hotel Co. v. Parrish*, 300 U.S. 379 (1937) (finding that the Constitution permits restriction of “liberty of contract” by governmental action where such restriction protects the community, health and safety, or vulnerable groups.)

- Providing that any aggrieved party or the City may institute a civil proceeding for injunctive relief and/or actual, special, statutory and/or punitive damages for violations of the moratorium;
- Providing the court discretion to award a penalty between \$1000 and up to \$10,000 per violation depending on the severity of a case (similar to the City of Santa Monica);
- Providing the court discretion to award actual damages and punitive damages;
- Adding a separate civil penalty of up to \$5,000 for violations of the Anti-Tenant Harassment Ordinance committed against elderly or disabled tenants (as provided by the City of Santa Monica).
- Providing that the prevailing party shall be entitled to costs and reasonable attorneys' fees;

To ensure meaningful compliance on the ground, violations of the moratorium, and co-occurring harassment actions taken to avoid compliance with the current protections must be met with strong enforcement measures.

II. The City Council should approve agenda item 38 (CF 20-0409) to clarify that unpaid rent during the emergency period is not grounds for eviction later.

The economic impact of this crisis will reverberate well after the public health emergency ends. Without additional protections for the hundreds of thousands of renters who are losing income as a result of the precautions necessary to address the pandemic, we will see a devastating wave of eviction and resulting homelessness at the end of the 12-month repayment period. The City can prevent this, and protect public health, by prohibiting evictions based on nonpayment of rent due during the COVID-19 emergency, even after the declared emergency ends. Such an action would still permit landlords to collect unpaid rent through traditional contract actions, such as seeking a judgment in small claims court – but unpaid rent that became due during the emergency could not be the basis for an eviction.⁴⁴

The City has the ability to prohibit such evictions under its well-established power to limit the substantive grounds for eviction.⁴⁵ Oakland's eviction moratorium already prohibits evictions for nonpayment of rent that became due during the COVID-19 emergency.⁴⁶ Southgate and Maywood have also adopted ordinance preventing unpaid rent during the emergency from being grounds for eviction.

The reality is that many tenants, especially low-income tenants, already struggled to pay rent before the pandemic. Coming out of the pandemic, they will be faced with the double hit of months of back rent and unstable or no employment. For tenants that endure this difficult time and successfully pay their rent going forward once the emergency resolves, it would be patently unfair and serve no legitimate public policy to allow their eviction based on back rent accumulated during the current safer-at-home orders.

⁴⁴ *Bevill v. Zoura* (1994) 27 Cal. App. 4th 694, 697 (court confirming that if a landlord waits too long to pursue uncollected rent, “the landlord is limited to collecting such rent in an ordinary breach of contract action,” and not through the unlawful detainer process.).

⁴⁵ See *Fisher v. City of Berkeley*, 37 Cal. 3d 644, 707 (1984) (holding that a city may regulate the substantive grounds of eviction, even to the point of “effectively eliminat[ing]” a ground for eviction in state law.) See also *Birkenfeld v. City of Berkeley*, 17 Cal. 3d 129, 148-149 (1976).

⁴⁶ City of Oakland Ord. No. 13589 available at <https://oakland.legistar.com/View.ashx?M=F&ID=8248264&GUID=D997F421-01DB-4B31-83DF-63F972DE3A76>.

III. The City should pursue all available options under agenda item 37 (CF 20-0407) to secure a rent freeze on all rental units during the emergency.

A. The City should consider whether it has emergency powers to freeze rents for all rental units during the emergency.

The City has broad police powers and emergency powers pursuant to Government Code section 8634, as discussed above. Governor Newsom further elaborated on the scope of these powers through his Executive Order N-28-20, issued on March 16, 2020, in which he found that "...because homelessness can exacerbate vulnerability to COVID-19, California must take measures to preserve and increase housing security for Californians to protect public health; and...local jurisdictions, based on their particular needs, may therefore determine that additional measures to promote housing security and stability are necessary to protect public health or to mitigate the economic impacts of COVID-19."⁴⁷ A temporary rent freeze on non-RSO units is one such additional measure necessary to protect public health and forestall homelessness. Moreover, it merely impacts the timing, not the ability of landlords to impose rent increases. The delay in exercising the right to collect rent may be permissible in the context of an international public health emergency, and we urge the City Council to direct the City Attorney to consider this possibility.

B. The City should consider whether a *temporary* rent freeze conflicts with Costa Hawkins.

Costa-Hawkins generally preserves the rights of landlords to set tenants' initial residential rental rates.⁴⁸ Under normal circumstances, Costa-Hawkins also permits landlords to increase rents on certain types of units, including units constructed after 1995, subdivided interests in subdivisions, single family homes, and certain condominiums.⁴⁹

There are several arguments that the City should seriously consider in order to support a temporary rent freeze on non-RSO units under Costa Hawkins. A temporary rent freeze would not prohibit landlords from setting initial rental rates, and landlords eligible to impose unregulated rent increases would be able to do so after the emergency has been resolved. Therefore, a temporary rent freeze is arguably not the "strictest type of rent control" that Costa-Hawkins aimed to prevent. In addition, the City should consider whether a temporary rent freeze would prevent evictions for nonpayment of rent, and might therefore be permissible under Costa-Hawkins' savings clauses, which provides that Costa-Hawkins does not interfere with the City's right to regulate the grounds of eviction.⁵⁰ Tenants who could

⁴⁷ Cal. Exec. Order No. N-28-20 (Mar. 16, 2020), available at:

<https://www.gov.ca.gov/wpcontent/uploads/2020/03/3.16.20-Executive-Order.pdf>.

⁴⁸ A court is disinclined to find field preemption of "land use regulations of local concern" beyond express declaration of the Legislature to occupy the field. *City and County of San Francisco v. Post* (2018) 22 Cal.App.5th 121, 137.

⁴⁹ Cal. Const. art. XI, Sec. 7.

⁵⁰ Civil Code section 1954.53(e); Civil Code Section 1954.52(c). *See Action Apartment Assn., Inc. v. City of Santa Monica* (2007) 41 Cal.4th 1232, 1245 deeming Civil Code Section 1954.52(e) a savings clause. *See Mak v. City of Berkeley Rent Stabilization Board* (2015) 240 Cal.App.4th 60, 69 and *DeZerega v. Meggs* (2000) 83 Cal.App.4th 28, 40, as modified on denial of reh'g (Sept. 14, 2000), which refer to Civil Code Section 1954.53(e) and Civil Code Section 1954.52(c) interchangeably. The court in *DeZerega* provided Costa-Hawkins "explicitly disclaims any effect on the power of local governments to regulate evictions," citing Civ. Code Section 1954.52(c); *Bullard v. San Francisco Residential Rent Stabilization Bd.* (2003) 106 Cal.App.4th 488.

rely on their current rental rate remaining constant during this crisis would be better able to afford to remain in their homes with a temporary rent freeze. Because Costa Hawkins enacted vacancy decontrol, landlords already had an incentive to engage in pretextual evictions.⁵¹ Currently, landlords owning non-RSO units have an even more dangerous incentive to evict tenants to make up for lost income during the epidemic and impose prohibitive rent increases on current tenants.

These questions are important, given the magnitude of these crisis. The City should be solution-oriented and do everything in its power to forestall this wave of evictions by enacting a temporary rent freeze.

C. Neither a temporary rent freeze nor rent forgiveness violates the Takings Clause.

As described more fully in Section I.E., the government’s regulation of property in this context will constitute a taking of such property only if it is found to be “functionally equivalent” to a direct appropriation or ouster under the “essentially ad hoc” fact-specific inquiry described in the *Penn Central* case.⁵² A temporary rent freeze ordinance should not have any long-term economic impact on the values of the impacted properties, since any such impact would evaporate the moment the freeze was lifted. Moreover, a temporary restriction on increasing rents is sufficiently similar to (and in many cases may simply overlap with) the City’s Rent Stabilization Ordinance that it would not defeat the investment-backed expectations of affected property owners. It is also the type of “public program” that a *Penn Central* analysis would be unlikely to deem a taking.

Finally, a rent cancellation program would also not rise to the level of a taking because of their limited economic impact when compared to the overall value of the properties in question. Although under such a program landlords would not be entitled to collect rent for the duration of the emergency, they would still be able to borrow against their properties, sell their properties, improve them, and continue to benefit from their appreciation in value. Any temporary reduction in value due to such a rent forgiveness program would fall well short of the significant percentages required for the finding of a taking under longstanding case law. Finally, although this specific type of rent forgiveness program may not have been anticipated by the affected property owners, the landlord-tenant relationship is heavily regulated under local and state law and a temporary program limiting a landlord’s ability to collect rent during a public health crisis that requires people to stay in their homes cannot be said to be outside the realm of possibility of anticipated regulation.

D. If the City Council does not act, the Mayor should use his emergency authority to impose a rent freeze.

Given the unprecedented emergency, the City’s broad emergency powers, and the temporary nature of a rent freeze, the City Council should do everything in its power to expand a rent freeze to non-RSO units. To the extent that Mayoral action is needed, the City Council should indicate its support for such action with an ordinance or resolution urging the Mayor to expand a temporary rent freeze. To the extent state law remains a barrier, the Council should urge the Governor to suspend any laws preempting a rent freeze on non-RSO units. But we urge the City Council to pursue local action on a non-RSO rent freeze to the fullest extent possible, considering all the above analysis.

⁵¹ *Bullard v. San Francisco Residential Rent Stabilization Bd.* (2003) 106 Cal.App.4th 488, 492.

⁵² *Penn Cent. Transp. Co. v. New York City*, 438 U.S. 104, 124 (1978).

As set forth above, the City clearly has the power to enact more meaningful protections for tenants during this crisis – including a broader temporary moratorium, to clarify that unpaid rent cannot be the future basis for eviction, and to enact a broad temporary rent freeze. We are in a state of emergency, and the law permits these temporary actions to be taken to safeguard all residents of the City. Your actions now will literally save lives in this City, and allow people to stay safe at home, as intended. We urge you to act now to protect your residents.

Sincerely,

Doug Smith, Public Counsel
Craig Castellonet, Public Interest Law Project
Dianne Prado, Housing Equality & Advocacy Resource Team (HEART)
Greg Spiegel and Tai Glenn, Inner City Law Project
Elena Popp, Eviction Defense Network

Communication from Public

Name: Kaycee

Date Submitted: 04/21/2020 11:15 PM

Council File No: 20-0404

Comments for Public Posting: We are in the midst of a housing crisis and a pandemic. We can not afford to have landlords evicting tenants and forcing them to become unhoused, for all of our safety. Housing is a human right and the key to safely surviving this deadly pandemic. I urge city council to do the right thing and pass a true eviction moratorium.

Communication from Public

Name: Doug Hammond

Date Submitted: 04/21/2020 10:28 PM

Council File No: 20-0404

Comments for Public Posting: In light of the State of Emergency throughout the City of Los Angeles and the United States as a whole, I urge the City Council to support and adopt a rent moratorium for a minimum of three months to ensure that vast numbers of Angelenos are not left financially devastated by the COVID-19 crisis. Studies have shown that a majority of Americans live paycheck-to-paycheck. It is not even remotely sustainable to expect that so many of us who fall into this category can go into (sometimes even further) debt in order to survive this unprecedented situation. We may be facing a situation where people are going to be willing to put their own health, as well as the health of the general public, in danger in order to make ends meet. This is a catastrophe in the making, and nothing less than swift and appropriate remedies are called for. Thank you for your time and consideration.

Communication from Public

Name:

Date Submitted: 04/21/2020 10:37 PM

Council File No: 20-0404

Comments for Public Posting: The fact that LA city council, one of the most powerful in the country, refuses to enact a rent suspension is despicable and disgusting. You have the power to do so but since half of your council is a landlord, you prioritize property over human lives. You are supposed to serve ALL of your constituents. In case you were unaware, that does include houseless and low-income folks, not just wealthy business owners! When you are up for re-election we WILL vote you out. Do your job, that's what you get paid \$15,000 a month for.

Communication from Public

Name: Michael Manville
Date Submitted: 04/21/2020 10:46 PM
Council File No: 20-0404
Comments for Public Posting: Please see attached for comments on eviction moratorium to be considered April 22, 2020

April 21, 2020

Dear LA City Council Members,

We write to support a complete eviction moratorium in Los Angeles to address the COVID-19 crisis.

The outbreak of the novel coronavirus has resulted in a government-mandated mass shutdown of our economy. This step, while necessary, has had dire consequences. Our city is gripped by mass unemployment. Many have lost jobs, and many who remain employed have seen their work hours and pay reduced, and worry from day-to-day that they too will soon be unemployed. This insecurity and anxiety, moreover, have arisen because it is in the public interest for people to stay home, and suppress the spread of COVID-19. We are thus in a position where many Angelenos are paying a high private price for advancing the social good.

The ideal solution to this situation would be generous payments from the federal government, to both people and businesses, that provide a financial bridge during the emergency, and allow people to continue paying their bills and therefore live with less financial stress. Unfortunately, our federal government has thus far fallen short in this. Enhanced unemployment benefits have become snagged in bottlenecks. A CARES check of roughly \$3,400 for a family of four goes only so far in a city where median rent is almost \$1,500 and where for many families paying rent is a struggle even when a paycheck is coming in. Too many of our city's residents, moreover, are excluded from CARES Act relief because of their immigration status. Hopefully more (and more inclusive) federal aid will arrive soon, but the City also needs to act now.

One of the most important things the City can do is minimize evictions. Evictions are always painful and destabilizing for the people being evicted, and almost always have broader social costs. In the COVID-19 crisis, however, these social costs explode, and evictions become a legitimate threat to public health. People forced from their homes because they cannot afford rent will crowd into other units with friends and family, or live in cars, or live on the streets. In the best of times this is highly problematic. If it happens now it will reduce social distancing, thrust more people into close contact with others, and in so doing undermine crucial public health efforts that hinge on people staying inside and isolated.

It is vital, therefore, that evictions halt, except in the extraordinary circumstances of threats to life and safety. The City Council's previous eviction moratorium was well-intentioned, but appears to have been ineffective. Stronger protection is needed. The current moratorium requires tenants to prove that the COVID-19 crisis is the reason they cannot pay rent, but it stays vague as to what would constitute that proof and who its arbiter would be. There is ample evidence that some landlords are exploiting this ambiguity and acting in bad faith, threatening tenants in ways that run against the spirit of the law. Even setting these troubling incidents aside, however, the moratorium's ambiguity places both tenants and landlords in a difficult position: who qualifies for protection, and who doesn't? Tenants may not be sure if they qualify, landlords can be put in the difficult position of weighing their own economic security against that of their tenants, and tenants may be forced to demonstrate the impossible. Many people have just lost their jobs, and their layoff was not accompanied by a note saying COVID-19 caused it. **It is simpler, for the moment, to say that evictions, and the filing of eviction actions, must stop for as long as this public health emergency and its associated socioeconomic crisis continue.**

We do not recommend this course of action lightly. No one thinks this solution is ideal, or complete. Deferring rent now mitigates a crisis now. But if unemployment persists and tenants who still lack income fall behind on payments, then evictions might surge a few months after the formal emergency ends. We also understand, in writing this, that landlords are not immune to anxiety and economic stress, and that some landlords are better able to absorb rent losses than others. (Although many landlords can avail themselves of loan and mortgage assistance through the federal government). So while ceasing evictions is the highest priority, the City should not merely halt evictions and move on to other matters. In addition to ensuring that this moratorium is honored, the City will need to consider covering rent arrears for rent-burdened tenants, working to prevent future evictions for such rent arrears, providing right to counsel and other legal support for tenants, and providing help for smaller landlords at risk. At the least, the City should devise some way of tracking the extent of rent nonpayment during the crisis, so it has a better understanding of the magnitude of the problem for both tenants and landlords. A database of this sort can ensure that City policy is data-driven, and can if necessary help the City make a stronger case for assistance from higher levels of government. The authors and many of the undersigned would be happy to help devise such a system.

Authored by:

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Paavo Monkkonen, Associate Professor of Urban Planning and Public Policy, UCLA

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Signed by:

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Regina Freer, Professor, Department of Politics and Black Studies Program, Occidental College

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Martin Gilens, Chair, Department of Public Policy. UCLA Luskin School of Public Affairs

Meredith Phillips, Associate Professor of Public Policy and Sociology, UCLA

Gary Painter, Chair, Department of Public Policy, Sol Price School of Public Policy, USC

Geoff Boeing, Assistant Professor, Department of Urban Planning and Spatial Analysis, Sol Price School of Public Policy, USC

Dowell Myers, Professor of Policy, Planning, and Demography, USC Sol Price School of Public Policy

Aaron Panofsky, Associate Professor of Public Policy, UCLA

Communication from Public

Name: Sebastian Reyes
Date Submitted: 04/21/2020 10:52 PM
Council File No: 20-0404

Comments for Public Posting: Landlords are still giving out eviction notices, leaving people vulnerable to exploitation. It is important that the city council pass a real blanket moratorium on evictions that protects all tenants. As a renter in the city, I know how difficult it can be to understand the various regulations and city ordinances. The city council must make it as easy as possible for renters in this difficult time and ensure that the homelessness crisis is not worsened.

Communication from Public

Name: Cate Carlson

Date Submitted: 04/21/2020 10:17 PM

Council File No: 20-0404

Comments for Public Posting: We owe it to the inhabitants of our city to enact measures in support of renters who cannot afford to pay their rent during the COVID-19 crisis. The damage done if we do not take action will be irreversible - families will be devastated financially, emotionally, and physically if denied access to safe and dignified housing. We NEED to terminate evictions in order to keep our city alive and well. This is a crucial moment in which we will be remembered for the steps we took or didn't take to protect the vulnerable among us. A thorough eviction moratorium will do just that.

Communication from Public

Name:

Date Submitted: 04/21/2020 09:46 PM

Council File No: 20-0404

Comments for Public Posting: Landlords do little to no productive work. They do not provide housing; construction and maintenance workers provide housing. Landlords simply hoard housing for ransom and charge us rent to access the housing someone else built. In a crisis, we want people's hard earned money to go to food, medicine, protective equipment, and the people on the frontlines working to produce those things, not to people receiving money for no productive work. If we do not cancel rent and protect rent withholders from retaliation, any financial relief we provide the people will simply act as a gift to landlords and do nothing to help the people who actually need it. Landlords have already had their mortgage suspended and thus have other options to make themselves whole should tenants forego rent payment. We must make this same relief available to renters in a city in which the vast majority of people, particularly poor and working class people most impacted by this crisis, rent. If you find no fault in this statement, you must pass these resolutions to protect renters. Listen to reason and not the greedy passions of people who by and large already have the resources to weather this storm. Protect the people of this great city.

Communication from Public

Name: Dustin Loomis

Date Submitted: 04/21/2020 09:51 PM

Council File No: 20-0404

Comments for Public Posting: We need a rent AND mortgage freeze. That is the only way to get through as a community. We are all struggling but evicting people from their homes will make it that much worse. Stop putting money above people and do the right thing.

Communication from Public

Name: Emma Hulse

Date Submitted: 04/21/2020 09:54 PM

Council File No: 20-0404

Comments for Public Posting: I have heard from community members that despite the Mayor and Council's previous action, landlords are threatening and harassing tenants who are unable to pay rent, potentially forcing the most vulnerable amongst us onto the streets in the midst of a pandemic. This is the RIGHT step to take to protect families!

Communication from Public

Name: Leslie Hope

Date Submitted: 04/21/2020 04:59 PM

Council File No: 20-0404

Comments for Public Posting: This proposal goes beyond what was instituted by the Judicial Council by prohibiting owners from even serving a notice of tenancy termination, which is essential to preserve an owner's rights.

Communication from Public

Name: Hunter Bermudez
Date Submitted: 04/21/2020 05:01 PM
Council File No: 20-0404

Comments for Public Posting: To City Council: I am writing in support of this motion, item 39. The city council needs to be working to serve the people of Los Angeles. Most of these people are facing immense hardship in the midst of this global pandemic. On March 27, the Governor issued Executive Order N-37-20 to protect tenants from being evicted before March 31st, 2020. As the order is currently written, tenants must prove to their landlord that they could not pay rent due to COVID-19 to receive the benefit of the eviction moratorium. People are already stressed and extremely worried about keeping themselves and their families safe and fed. What happens when tenants proof of loss of income isn't enough to satisfy the courts? What happens when tenants can't afford legal representation? The complexity of the legal system is a barrier to many people in the first place. The process places an unnecessary burden on tenants whose loss of income is not their fault. This will lead to a bureaucratic disaster once the courts re-open. Especially since the city has been up against an eviction crisis preceding the arrival of COVID-19. It would harm everyone in the city to allow evictions to take place in the midst of this pandemic. Landlords have been using cruel and insidious tactics despite the order put in place on March 27. Taking advantage of tenants' lack of knowledge and sending 3 days notices to PAY or QUIT in the middle of a global health crisis is unconscionable. If people are put out in the street en masse, this increases potential for the return of the virus and overloading our healthcare system. If landlords are really concerned about their own well-being and loss of income they need to be pressuring the city and governor to grant mortgage suspensions during and after this crisis. I urge all Councilmembers to support this Motion to PROHIBIT ANY RESIDENTIAL EVICTIONS from taking place, with an exception for the immediate safety of other occupants of the property. This Motion should be in effect for the duration of the crisis and 90 days after the emergency order is lifted.

Communication from Public

Name: Casandra Hurdle
Date Submitted: 04/21/2020 04:54 PM
Council File No: 20-0404
Comments for Public Posting: Please approve a true eviction pause and rent/mortgage forgiveness. Anything less Will put more and more of your constituents on the street.

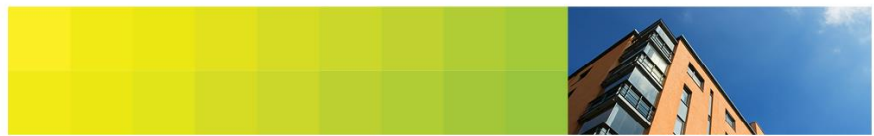
Communication from Public

Name: Victor Huerta

Date Submitted: 04/21/2020 05:09 PM

Council File No: 20-0404

Comments for Public Posting: The attached report, which draws on several studies, names Los Angeles as the third most rent-burdened city. That means that for the 63% (ACS) of Angelenos who rent their homes, 30% or more of their income goes towards paying rent. You can imagine that, as more Angelenos lose their jobs, it'll be harder to sustain their families, to pay rent, to pay bills with the minor assistance they receive from the federal and state governments and that's IF they receive it. Allowing landlords to continue with eviction notices or utility shutoffs would not only be inhumane: It'd be irresponsible. The City already struggles to meet the needs of people experiencing homelessness; it is in no way prepared to meet the needs of a sudden increase in this population, which would happen if landlords could evict their tenants. Additionally, shutting off the utilities during a pandemic would only increase the potential of coronavirus transmission. If utility shutoffs go up, hand-washing, the most effective way of killing the virus on our hands, goes down, which could result in an even greater health crisis. This council needs to do what other entities have failed to do and finally create protections for tenants. One small step in the right direction is to pass this eviction moratorium.



Rental Burden by Metro

Numerous groups, including housing agencies and private institutions, are focused on bringing the issue of housing affordability to the forefront, and across their studies there are many ways to measure rent burden. The Freddie Mac Multifamily research team is also very active in examining this topic. For purposes of this paper, we approach this topic by looking at how other organizations measure affordability and assess the rent-burden issue. In this report, we take a look at four of the most widely cited affordability studies across the 50 largest metros:

- The National Low Income Housing Coalition’s (NLIHC) Gap report for 2018
- The 2018 Out of Reach report
- The New York University Furman Center’s 2018 National Rental Housing Landscape report
- Harvard University’s Joint Center for Housing Studies (JCHS) 2017 Rental Housing report

Exhibit 1: Most Rent-Burdened Metro Areas

#	MSA	Metro Area Ranking			
		NLIHC - The Gap	NLIHC - Out of Reach	Furman Center - National Housing Landscape	JCHS- America's Rental Housing
1	Miami	2	8	1	1
2	San Diego	3	7	3	5
3	Los Angeles	1	15	2	2
4	New York	10	3	6	8
5	Orlando	4	23	3	6
6	New Orleans	15	22	8	4
7	Tampa	6	27	7	12
8	San Jose	14	2	8	29
9	Riverside	5	41	5	3
10	Virginia Beach	24	9	8	16
11	Denver	11	19	16	14
12	Las Vegas	13	29	8	11
13	San Francisco	12	1	14	35
14	Philadelphia	22	5	23	13
15	Portland (OR)	8	26	13	17
16	Chicago	18	16	18	19
17	Atlanta	17	13	18	24
17	Sacramento	7	43	15	7
19	Austin	30	4	18	22
20	Richmond	28	11	24	15

Sources: NLIHC, Furman Center, JCHS and FreddieMac

Other organizations are also looking at new ways to assess rent affordability. A paper released in September of 2018 by the Population Dynamics Research Group, part of the Sol Price School of Public Policy at USC, measures affordability by breaking renter income and gross rent into segments. They then compare movement between the segments from 2000 through 2016. They focused their study on Los Angeles and the Bay Area, so we did not include the results in the analysis. In brief, the report concluded that in Los Angeles the top renter income segment expanded slightly from 25 percent to 30 percent while the top gross rent segment grew

dramatically from 25 percent to 55 percent, showing how rent growth has far exceeded renter income growth since 2000. This paper is an example of new ways to look at the problem of rent burden beyond paying a certain percentage of rent toward income.¹

Exhibit 1 identifies the top 20 most rent-burdened Metropolitan Statistical Areas (MSAs) across the four studies and conveys how the results of these four studies differ. A ranking of “1” represents the least affordable metro area. The combined ranking is equally weighted across all four categories. Some cities are recognized as consistently rent burdened across the different methodologies. As the table shows, Miami and San Diego are the two most rent-burdened MSAs in the country, followed by Los Angeles, then New York and Orlando as the fourth and fifth least affordable metro areas. The top four least affordable metros are consistently ranked among the four reports, with no individual MSA ranking them above 15 in any of the studies. However, there is considerably less agreement for the cities that are ranked five through 20. See Appendix Chart A for details on how each city ranks by the different measures of affordability.

Differences in rankings across the four reports are due to the way each study assesses rental burden. The NLIHC Gap report measures the percentage of households with severe cost burden (defined as paying more than 50 percent of income toward rent) broken out by area median income (AMI), and the number of units that are both affordable and available at various AMI levels. The Furman Center report looks at the percentage of households that are burdened (defined as paying more than 30 percent of income toward rent) and severely burdened overall and at 50 percent AMI, as well as the number of units that are affordable and available at 50 percent and 100 percent of AMI. The JCHS report focuses solely on the percentage of renters that are rent burdened and severely rent burdened at different income levels. By comparison, the Out of Reach report focuses on the affordability of units at the minimum wage for each jurisdiction.

There is neither a perfect data set nor a perfect definition that defines affordability. A limiting factor of the reports is the assumption that anything above 30 percent of income being allocated to rent is considered rent burdened. While this is generally considered a good rule of thumb, a single renter in a high-income area paying 40 percent of their income toward rent may still be much less rent burdened than a renter supporting a family in a lower income area who is paying 30 percent toward rent.

San Jose in Focus

San Jose, California, is ranked inconsistently by the different reports. It is ranked as the second least affordable metro area by NLIHC’s Out of Reach report, as the eighth by Furman, 14th by the NLIHC Gap report and 29th least affordable by JCHS. So why is there such a large discrepancy between these reports?

	Median Renter Income	Median Rent	Share of Households <50% AMI that Rent	% of Renter Households Rent Burdened	% of Renter Households <50% AMI Rent Burdened	% of Households Severely Rent Burdened
	\$75,000	\$1,840	62%	45.1%	83%	23.1%
Rank	1	1	26	32	9	23

Sources: Furman Center, Freddie Mac

The differences can be attributed to the different ways the reports assess affordability as well as how the data is analyzed. Some reports calculate rent burden across all renter types, including high- and low-income renters. Areas such as San Jose, where the average income is one of the highest in the nation, can be expected to have a large concentration of higher-income renters, lessening the overall number of burdened renter households.

¹ We also examined data from the 2017 Worst Case Needs report released by the Department of Housing and Urban Development, however the data was rather limited in scope and the results that were comparable showed significantly different conclusions than the other data sets. Due to these limiting factors we did not include that report in this analysis.

Reports that break out renter burden among lower-income households show a more severe problem with affordability, and especially for those households that earn the minimum wage. Some reports also factor in the number of available units at different affordability levels, which further highlights the disparity among lower-income renters in areas where there is a shortage of available units.

NLIHC Out of Reach – This report ranks San Jose as the second most rent-burdened market in the country and examines the number of hours needed to work at minimum wage to afford various unit types across the 50 metro areas. In San Jose, across all unit types, the minimum wage worker would need to work 170 hours per week to be able to afford a unit, assuming that no more than 30 percent of income goes toward rent.

Furman – The Furman Center ranks San Jose as the eighth most rent-burdened market. Their report looks at the percentage of renter households that are rent burdened and severely rent burdened, as well as units which are available and affordable at 50 and 100 percent AMI. San Jose has less of a problem with rent burden but has a relative lack of units that are both affordable and available.

NLIHC The Gap – This report ranks San Jose as the 14th most rent burdened and examines the percentage of households paying more than 50 percent of income (severely rent burdened) and earning between 0 to 100 percent of AMI. According to the NLIHC report, extremely low-income renters (those earning less than 30 percent of AMI) are relatively less burdened than many other areas of the country, likely because the income of these households in this category is higher than in other metro areas.

JCHS – This study examines burdened and severely burdened rental households. By their calculations 46.3 percent of renter households in San Jose are either burdened or severely burdened, which ranks it as the 29th most rent burdened MSA in the country.

San Jose is a place where rents are high – regardless of the methodology to measure burden – and the high rent levels are burdensome for households. In comparing all four reports, we see that the differences can be attributed to how they assess affordability of the metros as well as how the data is analyzed.

Florida

Miami has long been considered one of the least affordable cities in the country due to its high rental costs and relatively modest income levels. However, the other major cities in Florida are generally thought of as affordable. But is this actually true? The results of these four reports indicate that this is not the case - the aggregate rankings actually place Orlando as No. 5, Tampa as No. 7 and Jacksonville as No. 25. All three of these cities are in the top half of the most rent-burdened metro areas studied.

Digging deeper into the data behind the reports, the lack of affordability in Florida is due largely to the lack of affordability at 50 percent AMI and the lack of available and affordable units at 50 and 100 percent AMI, as seen in Appendix Chart A. This likely boils down to the relatively modest median incomes in these cities, which average just over \$50,000 per year overall, and \$35,500 for renter households, both of which are over 10 percent less than the median income of the top 50 metro areas, according to Furman Center data. Despite significantly lower than average income, the average median rent in the four cities in Florida is only about 2 percent lower than the median rent in the top 50 metros. The relative lack of affordability in the large cities of Florida does not appear to be due to the high number of retired seniors, as one might suspect. The actual percentage of Florida households with senior renters is 20.7 percent whereas the national average is 24.9 percent, according to data from the Census Bureau.

When compared with San Jose, this highlights the other end of the spectrum of factors that cause rent burden. Rents in Florida are near the average for the top 50 metro areas. However because renter household income in these markets is significantly lower than the national average, many households are considered rent burdened.

The Surprising Cities

We also found that some of the cities generally thought to be the most expensive and cost burdened do not top our compiled list. For example, Manhattan is known as one of the most expensive rental markets in the country, however this analysis focuses on the broader New York City MSA. While still expensive, the New York City MSA is not among the top three most cost-burdened metros in the country. According to data from the Furman Center, the median rent in this MSA is \$1,290 a month and median renter income is \$43,400, meaning that about 36 percent of income is devoted to rent. This is above the generally accepted level of affordability of 30 percent, but not as high as some areas, as shown in Exhibit 2. The reported New York City MSA rent level of \$1,290 exposes a shortcoming in the underlying data as it is extremely low compared with many parts of the city. By comparison, as of December 2017, the average rent for a Class B/C unit in Queens is \$1,937 per month, according to Yardi - fully 50 percent higher than the rent utilized by the Furman Center for the MSA, which comes from Census.

Similarly, the Furman Center data for the Bay Area MSAs of San Jose and San Francisco have the highest median rents in the country at \$1,840 and \$1,580 respectively. So why are they not higher on the list of most rent-burdened cities? The reason is simple: high income. The median renter income in the two MSAs is \$75,000 in San Jose and \$61,000 in San Francisco. At those income levels, the median renter is paying less than 30 percent of their income toward rent in San Jose and just above 30 percent in San Francisco. Again, for comparison, looking at Yardi Class B/C rents as of December 2017, the Milpitas submarket of San Jose has an average unit cost of \$2,265 per month, while in the Millbrae submarket of San Francisco, the average unit rents for \$2,543 per month.

Boston and Washington, D.C. also share a similar story. They are thought of as high-cost areas to rent a home; however, incomes are also comparably higher. A renter is paying 31 percent and 34 percent of their income to rent a median-priced unit in the District and Boston, respectively. Boston has the 22nd highest percentage of renters that pay more than 30 percent of their income toward rent, while the District is the 32nd highest. Those earning 50 percent of AMI in Boston have among the lowest rates of rent-burdened households of the 50 metro areas studied, while those in the District are in the middle of the pack.

What tends to be lost in the analysis of markets like the Bay Area, where rents and incomes are both relatively high, is the impact on the renters who earn far less than the median renter income. Those renters can include vital members of the community such as firefighters, police officers and teachers. While these professions generally earn modestly more than their suburban and rural counterparts, in most cases they do not earn enough to comfortably live within the high-cost cities they serve.

Exhibit 2: The MSAs with the Highest Median Rent

#	MSA	Median Rent	Average Yardi Class B Rent 2017	Income Required @ Median Rent ¹	Median Renter Income
1	San Jose	\$1,840	\$2,767	\$73,600	\$75,000
2	San Francisco	\$1,580	\$2,865	\$63,200	\$61,000
3	Washington, D.C.	\$1,500	\$1,647	\$60,000	\$58,600
4	San Diego	\$1,410	\$1,806	\$56,400	\$50,000
5	Los Angeles	\$1,340	\$2,293	\$53,600	\$44,000
6	Boston	\$1,290	\$1,962	\$51,600	\$45,000
7	New York	\$1,290	\$2,196	\$51,600	\$43,400
8	Seattle	\$1,250	\$1,648	\$50,000	\$50,000
9	Miami	\$1,183	\$1,534	\$47,320	\$35,000
10	Denver	\$1,150	\$1,371	\$46,000	\$44,000
11	Baltimore	\$1,140	\$1,327	\$45,600	\$43,600
12	Riverside	\$1,140	\$1,380	\$45,600	\$37,000
13	Austin	\$1,090	\$1,203	\$43,600	\$44,600
14	Sacramento	\$1,070	\$1,382	\$42,800	\$37,400
15	Orlando	\$1,040	\$1,171	\$41,600	\$36,000
16	Philadelphia	\$1,040	\$1,433	\$41,600	\$37,500
17	Virginia Beach	\$1,030	\$1,051	\$41,200	\$37,000
18	Hartford	\$1,020	\$1,302	\$40,800	\$36,600
19	Portland (OR)	\$1,020	\$1,330	\$40,800	\$40,000
20	Chicago	\$990	\$1,324	\$39,600	\$37,000

^{1/} Assumes 30 percent of income goes toward rent
Sources: Furman Center and FreddieMac

Exhibit 3 shows the rent affordable at minimum wage and the number of hours required to work to afford a one-bedroom unit at fair market rent. This chart conveys that the cities that require the greatest number of hours worked to afford a one-bedroom unit are San Francisco, San Jose, New York and Philadelphia. In each of these cities, a single worker would need to work more than 100 hours per week at the minimum wage to afford a one-bedroom unit at fair market rent, assuming no more than 30 percent of income is allocated to rent. In San Francisco, a single worker earning the minimum wage of \$11 per hour would need to work 175 hours per week to afford a one-bedroom unit – and keep in mind that there are only 168 hours in a week. Obviously, this is not possible, but it is an illustration of the challenges facing workers that earn the minimum wage, even in areas where the minimum wage is relatively high, like in California.

Exhibit 3: MSA Minimum Wage, Rent Affordable at Minimum Wage and Number of Weekly Hours Required at Minimum Wage to Afford Various Sized Rental Units

Rank	MSA	Minimum Wage	Rent Affordable @ Min. Wage	1BR Fair Market Rent	Work Hours Per Week to Afford 1BR @ FMR
1	San Francisco	\$11.00	\$572	\$2,499	175
2	San Jose	\$11.00	\$572	\$2,031	142
3	New York	\$10.40	\$541	\$1,558	115
4	Philadelphia	\$7.25	\$377	\$1,047	111
5	Austin	\$7.25	\$377	\$1,023	109
6	Seattle	\$11.50	\$598	\$1,529	102
7	Boston	\$11.00	\$572	\$1,421	99
8	Miami	\$8.25	\$429	\$1,066	99
9	San Diego	\$11.00	\$572	\$1,400	98
10	Virginia Beach	\$7.25	\$377	\$912	97
11	Richmond	\$7.25	\$377	\$907	96
12	Atlanta	\$7.25	\$377	\$898	95
13	Chicago	\$8.25	\$429	\$1,014	95
14	Raleigh	\$7.25	\$377	\$893	95
15	Dallas	\$7.25	\$377	\$878	93
16	Houston	\$7.25	\$377	\$871	92
17	Washington, D.C.	\$13.25	\$689	\$1,561	91
18	Los Angeles	\$11.00	\$572	\$1,284	90
19	Charlotte	\$7.25	\$377	\$838	89
20	New Orleans	\$7.25	\$377	\$827	88

Sources: NLIHC - Out of Reach and FreddieMac

Washington, D.C., has the third most expensive one-bedroom fair market rent at \$1,561 per month but is ranked as the 17th least affordable metro area based on the number of hours required to work at minimum wage to afford that rent. However, the fair market rent shown is for the entire metro area which also includes portions of Maryland and Virginia, where the minimum wage is \$10.10 and \$7.25 per hour respectively. At those rates to afford a one-bedroom unit, a minimum wage worker would need to work 119 hours in Maryland a week and 166 hours per week in Virginia, which would rank as the second least affordable on the list above.

Conclusion

After examining the many ways in which the four reports evaluate rental cost burden, some clear patterns emerged. This report finds that the most rent-burdened areas to live in the country are Southern California, New York City and Florida. The commonality in the top five most rent-burdened cities are relatively high median rental costs combined with low renter AMIs. While the areas that are traditionally thought of as extremely high cost such as San Jose, San Francisco, Boston and Washington D.C. do not rank highly on the list, for lower income renters and those that serve these communities the numbers may not tell the whole the story, and these areas still create rent burden for many.

Appendix Chart A: MSAs Ranked by Various Measures of Rent Burden Across All Studies

MSA	Overall % Burdened	Overall % Severe Burdened	% Burdened @ 50% AMI	% Severe Burdened @ 50% AMI	Available Units Affordable @ 50% AMI	Available Units Affordable @ 100% AMI
Atlanta	25	29	9	10	23	26
Austin	23	43	6	27	19	43
Baltimore	27	20	41	33	31	32
Boston	22	23	48	46	32	8
Buffalo	30	13	37	28	47	25
Charlotte	40	42	16	22	26	31
Chicago	16	14	23	25	28	14
Cincinnati	45	36	44	40	50	45
Cleveland	34	22	47	48	43	38
Columbus	44	38	16	32	41	43
Dallas	39	44	12	30	29	34
Denver	15	31	15	26	13	15
Detroit	19	15	42	30	32	28
Hartford	20	11	39	38	36	42
Houston	29	27	19	24	27	34
Indianapolis	26	25	22	34	36	39
Jacksonville	21	28	23	13	15	30
Kansas City	49	48	38	45	48	46
Las Vegas	11	17	3	6	7	34
Los Angeles	2	2	5	3	3	1
Louisville	46	47	46	50	49	49
Memphis	14	12	39	20	16	26
Miami	1	1	13	1	4	1
Milwaukee	24	21	33	36	36	19
Minneapolis	38	39	20	42	44	28
Nashville	43	46	43	43	34	18
New Orleans	5	4	28	8	9	16
New York	10	5	30	12	11	4
Oklahoma City	47	50	45	49	36	49
Orlando	6	10	1	2	1	10
Philadelphia	12	8	34	17	29	21
Phoenix	33	34	26	17	20	17
Pittsburgh	48	40	49	46	45	34
Portland (OR)	18	24	6	16	13	11
Providence	37	26	50	44	35	20
Raleigh	50	49	16	41	41	46

Richmond	17	16	35	14	25	40
Riverside	3	3	3	5	5	6
Rochester	8	9	20	21	36	48
Sacramento	7	7	10	15	17	13
San Antonio	42	45	28	39	18	32
San Diego	4	6	2	4	2	3
San Francisco	31	30	31	17	12	4
San Jose	28	32	8	11	8	6
Seattle	36	41	23	22	22	12
St. Louis	41	37	36	37	45	41
Tampa	13	19	14	7	5	9
Tucson	35	35	26	35	24	24
Virginia Beach	9	18	11	9	10	23
Washington, D.C.	32	33	32	29	21	21

Sources: NLIHC, Furman Center, JCHS and FreddieMac

Communication from Public

Name: Caitlin Lyons

Date Submitted: 04/21/2020 05:53 PM

Council File No: 20-0404

Comments for Public Posting: Hi! I am a tenant in Silverlake and because the gym my roommate works at and the production company my other roommate works at are shut down we are not able to pay our rent. We have no income and our landlord is still demanding we pay in full. We have no option but to choose food or rent. We ask that you consider a full moratorium on evictions and suspend rent/mortgages for the duration of the crisis.

Communication from Public

Name: Katie

Date Submitted: 04/21/2020 05:50 PM

Council File No: 20-0404

Comments for Public Posting: LA is made up of renters. The City of Los Angeles should be supporting those who are unemployed or are unable to work due to COVID-19. Support renters not landlords.

Communication from Public

Name: Seo Yun Son

Date Submitted: 04/21/2020 05:52 PM

Council File No: 20-0404

Comments for Public Posting: Hello, we are Anthony Quattrocchi and Seo Yun Son, residents of East Hollywood. We are worried that this pandemic and lack of policies that protect renters and their families will leave us and our communities in debt and at risk of becoming homeless. We support this motion to protect tenants from being evicted during the COVID-19 emergency and 30 days following the end of the emergency. We need an actual eviction moratorium that will keep Angelenos safe in their home. We urge you to act fast and support renters in Los Angeles.

Communication from Public

Name: Tori

Date Submitted: 04/21/2020 05:52 PM

Council File No: 20-0404

Comments for Public Posting: I am strongly in favor of the eviction moratorium. As of today, I have lost my job due to COVID and I have not been able to file for unemployment. I have no source of income and no savings after having been laid off three times in the span of 2.5 years. I have always paid rent on time in the past, so the fact that I would be punished for an unforeseeable global health & economic crisis is abysmal. Throwing me, or anyone in a similar situation as me, onto the street at this time would only worsen the health issue we are facing as a city.

Communication from Public

Name: Ms. Foster
Date Submitted: 04/21/2020 05:11 PM
Council File No: 20-0404
Comments for Public Posting: Please find attached herein Memo regarding Agenda Item 20-0404

MEMORANDUM

TO: Los Angeles City Council Members & Mayor Garcetti
FROM: Ms. Foster; Guest House Management
RE: Agenda Item No. 20-0404; List #39
“prohibiting the termination of a tenancy during the City of Los Angeles State of Emergency”
DATE: April 20, 2020

Again, I must say that using this crisis as a means to circumvent the law and rob landlords of the few legal rights guaranteed under the RSO is shameful.

You place implausible restrictions against landlords with no recourse against bad actors.

Be a Leader and not a follower by just mimicking something that another city.

The intent of the Order was not to have good tenants displaced by an emergency that was not their fault. It was not suppose to be an opportunity to rob landlords of their rights against bad actor who were not affected by Covid 19.

You seek to have a blank check against any rightful obligation that a landlord should be able to enforce against those that are abusing the situation.

In a prior Memo, I referenced an actual situation where the tenant is not affected by Covid 19 but just wants to live free without consequences.

You tell me what can and should be done where you have provided no support for the landlord and people are taking us for ride. I need to know what is to be done about the tenant that is in breach of his Lease Agreement where I'm left holding the bag.

I've been fair because I'm always fair and don't really want to go to court unless I have to. I don't know of any landlord that enjoys the experience. It's stressful and emotionally draining.

As I've previously stated in a different Memo, on April 1, 2020, I delivered a Memorandum to all my tenants which notified them that if they were currently or in the future, financially impacted by Covid 19, to let Management know immediately and provide supporting document and that an individual payment plan would be made for them and stressed that communication was key to maintaining housing and avoiding unnecessary displacement.

A certain tenant who was already not complying with the terms of his Lease Agreement was included in the list. The tenant did not pay his Rent and did not contact Management. Prior to the emergency order, he had already moved in 4 unauthorized occupants that he gave assurances would be gone by January 3, 2020. January 3, 2020 came and went and he did not vacate the 4 unauthorized occupants. Now, his family and a whole different family of 4 are in my unit; running water, taking baths/showers, flushing toilets, doing laundry with the indoor washer and

dryer that provided in the unit. They're all are living off of me for free where I have no recourse through the Court. They are prancing around my property like they owned the place because they know that I can't do anything about it.

He has not been affected by Covid 19. He's just being abusive. How do I know this? Because his behavior started before Covid 19. Furthermore, he has a Section 8 Voucher and is being subsidized by the Housing Authority so there is no reason for him not to pay his Rent.

Whenever a participant in the Section 8 program has a decrease in income, all the participant needs to do is notify his case manager and the Housing Authority will make an adjustment to the tenant's co-payment and reduce the amount that the participant must pay.

This person made a choice not to pay to stick it to me, while forcing me to continue to house additional people who are also creating a nuisance and breaching other sections of the contract.

I have repeatedly notified the Housing Authority of breaches and unauthorized occupants but they don't do anything. They don't enforce their own contracts unless of course it's against an owner.

My only recourse is to file an unlawful detainer to enforce the terms of the contract but a gang of merry men called the City Council have stripped me of that recourse without a safety net.

Your over zealous bailout protections for tenants are fueling and facilitating this kind of bad behavior and its only a slice of what's happening and what's to come.

You are making knee jerk reactions to pressure from people who have an agenda and are prematurely crying wolf.

This crisis will not last and people will recover and they will be helped through the safety nets and provisions put forth by local, state and federal governments but I and people like me will be stuck with consequences of your irrational thinking.

My list of bills and responsibilities will continue, unchanged and without support. As I have said, there is not one program in existence that applies to me or my circumstances and not one agency that will fight for me against my creditors or pay any of my bills.

The only thing that a landlord has to rely on to cover the Mortgage, Building Insurance, Property Taxes, Business Taxes, Local, State and Federal Taxes, Water, Gas and Electricity Bills, Repairs and Maintenance Bills, Legal Bills and Capital Improvements like the mandated Earthquake Retrofitting, are the collected rents. And for those subject to the RSO, the only thing that we have to offset the forever growing and annual increases of those hard costs, is the minimal annual 3% rent increase that we are mandated to receive as the trade-off to a rent control unit.

We can't be made to forgo that right. Who's going to pay the financial obligations?

Most landlords are just everyday individuals that invested into the community; not major corporations. We're just individuals that worked hard and sacrificed to have something just like the next guy.

I don't have employees to try and keep on a payroll. When I need a plumber, I call a plumber and pay him directly so no payroll protection/bailout for me. I just have to keep paying for everything directly.

You shut down the City and immediately set out to get payroll protection for small business so that employees can still receive a source of income. You've streamlined unemployment and allowed individuals to collect an additional \$600 per week on top of the unemployment that they are already entitled to collect but you did nothing specifically for landlords who you have ordered to house people for free.

When you fought for all those protections for everyone else, you should have also secured a rent protection program for landlords so that we do not suffer at a loss to house those that need our support and those that are willfully abusing the situation to not pay valid rent that is due.

Each one of my loans is a commercial loan. It's automatic when the loan is for a property that has 5 or more units so the protections in place for a residential loan don't apply. Neither of my loans are backed by Fannie Mae or Freddie Mac; not even my home loan. It's a conventional portfolio loan that stayed with the lender for which the government has no control to order relief.

Even if they did so at some point, it is ridiculous to assert that it should be at the trade-off of forgiving rents that are due. 1 Mortgage payment cannot be traded against 5, 6, 7 or 13 rental payments. Rental payments are for more than the Mortgage. They offset all the other hard cost, including but not limited to required insurance, utilities, property taxes, business taxes, maintenance, repairs, gardeners, and the like.

You sit there in judgment making broad decision about something where you don't have all the facts and have not given thought to the far reaching detriment you cause to those that paid a price and still found a way to give back.

You don't have a clue as to what's involved and the sacrifices that I've made and continue to make to reach back and help another.

I just put keys in the hands of a homeless veteran on April 17, 2020, who was referred to me by Volunteers of American of Los Angeles. I work with all the agencies and give back way more than you can know and sacrifice way more than I should but I'm ok with that.

What I'm not ok with is you making it ok for tenants to abuse me and bankrupt me of willingness and ability to help another that actually appreciates my efforts.

Communication from Public

Name: Alexander Fleming
Date Submitted: 04/21/2020 05:11 PM
Council File No: 20-0404
Comments for Public Posting: Landlords are still giving out eviction notices, leaving people vulnerable to exploitation. We need a real blanket moratorium on evictions that protects all tenants.

Communication from Public

Name: Lucia Pier

Date Submitted: 04/21/2020 05:40 PM

Council File No: 20-0404

Comments for Public Posting: The current half-measure that temporarily kicks the eviction can down the road is not good enough, and I'm glad to see that many of you have recognized that. People who are required to stay in their homes and can't pay rent because they can't work should never fear being kicked out of their homes – not now, not during the long aftermath of this crisis. We need this broad and universally applicable eviction moratorium, and we needed it yesterday.

Communication from Public

Name: Ace Katano

Date Submitted: 04/21/2020 05:42 PM

Council File No: 20-0404

Comments for Public Posting: I am a homeowner and attorney in the Koreatown area. At this time of crisis it is VITAL that we place a full moratorium on evictions. The city has issued a series of contradictory statements, creating fear and confusion among tenants. Already, unscrupulous landlords are taking advantage of tenants' confusion to force people out of their homes or intimidate them into signing away their rights. I constantly speak to people desperate for legal guidance to figure out what is real or not, and this need will only increase if people are forced to fight illegal evictions in court. I support Item 39!

Communication from Public

Name: Josh Tucci

Date Submitted: 04/21/2020 05:42 PM

Council File No: 20-0404

Comments for Public Posting: Shame on the landlords of Los Angeles for not standing in solidarity with their tenants while a significant portion of the job sector has been shut down by the covid-19 virus. No human being should be penalized for not being able to pay for rent, utilities, etc. so long as their ability to earn a living wage has been compromised by this global pandemic.

Communication from Public

Name:

Date Submitted: 04/21/2020 07:01 PM

Council File No: 20-0404

Comments for Public Posting: Landlords are still giving out eviction notices, leaving people vulnerable to exploitation. We need a real blanket moratorium on evictions that protects all tenants. We urge you to please create and enforce protections for all tenants.

Communication from Public

Name: Yuki Kidokoro

Date Submitted: 04/21/2020 07:03 PM

Council File No: 20-0404

Comments for Public Posting: In this moment when many of our neighbors are facing joblessness, growing debt, and increasing risks of becoming homeless, your decisions have deeper and more longstanding implications over life and death. As such, you as city council members have a responsibility to do everything in your power to protect these most vulnerable members of the LA community. Specifically, I urge the city council to 1) pass a complete eviction moratorium that keeps my neighbors safe in their homes, 2) make sure mortgage relief is tied to relief for renters so that tenants don't accumulate rent debt, 3) pass a right of recall to ensure workers are rehired when the health emergency ends, and finally 4) bring back measures to council to protect unhoused people. Thank you for your bold and compassionate leadership.

Communication from Public

Name:

Date Submitted: 04/21/2020 06:56 PM

Council File No: 20-0404

Comments for Public Posting: An eviction moratorium is crucial at this time. The spread of COVID-19 will be halted only by people sheltering in place, which is impossible if they're being forced out of their homes for reasons beyond their control. We need to stop evictions NOW!

Communication from Public

Name:

Date Submitted: 04/21/2020 05:27 PM

Council File No: 20-0404

Comments for Public Posting: EVICTION MORATORIUM NOW TO KEEP VULNERABLE MEMBERS OF OUR COMMUNITY SAFE AND HEALTHY. RENT FREEZE NOW. NO WAGES NO RENT. FOOD NOT RENT.

Communication from Public

Name: Allen Darling

Date Submitted: 04/21/2020 06:03 PM

Council File No: 20-0404

Comments for Public Posting: It's absolutely ridiculous that a small number of landlords really think it's better for the long term interests of a city with 60% of its population renting and 50% of its people out of work to force rent and evictions during the middle of a global pandemic. There should not only be a hard moratorium on evictions, but also steep, harsh penalties for landlords that act on bad faith and endanger the community by threatening tenants during this time. If an eviction stays on my credit checks for 7 years, why shouldn't greedy and cruel landlords have their actions similar punished?

Communication from Public

Name:

Date Submitted: 04/21/2020 06:30 PM

Council File No: 20-0404

Comments for Public Posting: Rent AND mortgage should be forgiven for the people who have lost their jobs as a result of the government shuttering jobs. It is not a battle between landlords and renters. We need to work together. Those of us who have lost jobs and can prove it will not be able to save money while not working to pay back rent/mortgage nor will we be able to miraculously make 3 or 4 times the amount we made once we go back to work to pay it back. We need to be United so we can all be fairly compensated- rent forgiveness AND mortgage forgiveness (for those landlords whose tenants are unable to pay their rent due to covid 19 related job loss) from the government that shuttered our jobs for the good of our country's people.

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Communication from Public

Name: David Miller

Date Submitted: 04/21/2020 06:34 PM

Council File No: 20-0404

Comments for Public Posting: It is completely irresponsible to continue to ask for rent during this crisis when we are not allowed to work. A rent and mortgage freeze is the only answer, if you are truly looking out for both citizens and businesses, which is your job. Eviction moratorium and rent increase freeze at the VERY LEAST.

Communication from Public

Name: Lauren Keyes-Scott

Date Submitted: 04/21/2020 06:38 PM

Council File No: 20-0404

Comments for Public Posting: We need a real eviction moratorium that prohibits evictions, notices, lockouts or utility shut offs. For the last 4 years, the National Low Income Housing Coalition unveiled in its Out of Reach housing report's that the California's avg income needed for a two bedroom apartment was around \$61,000, while LA County's median household income is \$5,000 less (\$56,000). This was before the pandemic. Since March 2020, people have lost their jobs, lost friends & family members to COVID19. Angelenos are being saddled w/ bills and no income. So many of the us are struggling to put food on the table and take care of our families. Please, do your jobs and support ALL of your Constituents needs, and not just Landlords. Renters need relief & we need a moratorium on evictions. The city isn't doing enough for our unhoused, LA never really has, but what will you do with an influx of *MILLIONS* on the streets during a pandemic? Can the city afford for *MILLIONS* to be on the exposed, exponentially spreading COVID19 to the general public & inundating hospitals for care because Garcetti's #SaferAtHome initiative only works if people have homes to go to? Please. Be kind. Be empathetic. Be compassionate. Be fiscally responsible. This moratorium benefits every Angeleno and reduces spread. Please... Do your jobs and support ALL of your Constituents needs (not just landlords).